

By Mr. ROE of Maryland:

H. R. 6456. A bill to provide for an examination and survey to determine the advisability and feasibility of dredging Levering Creek at Ewell, Md., on Smith Island; to the Committee on Rivers and Harbors.

By Mr. CAMPBELL:

H. R. 6457. A bill to reduce taxation by conserving the assets of the United States; to the Committee on Ways and Means.

H. R. 6458. A bill to authorize the sale of British bonds in the United States; to the Committee on Foreign Affairs.

By Mr. FLANNAGAN:

H. R. 6459. A bill to extend the period within which the Secretary of Agriculture may carry out the purposes of the Soil Conservation and Domestic Allotment Act by making payments to agricultural producers; to the Committee on Agriculture.

By Mr. KELLEY of Pennsylvania:

H. R. 6460. A bill to authorize the furnishing of motor equipment to seriously disabled veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. LYNCH:

H. R. 6461. A bill to include the Virgin Islands in certain titles of the Social Security Act; to the Committee on Ways and Means.

By Mr. MCCORMACK:

H. R. 6462. A bill to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; to the Committee on Naval Affairs.

H. R. 6463. A bill to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; to the Committee on Military Affairs.

By Mr. COLE of New York:

H. R. 6464. A bill to amend section 108 of the act approved April 30, 1946 (Public, No. 370, 79th Cong.); to the Committee on Insular Affairs.

By Mr. JENNINGS:

H. R. 6465. A bill to authorize a preliminary examination and survey of the Big South Fork River and its tributaries, in the State of Tennessee, for flood control, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. LEMKE:

H. J. Res. 354. A joint resolution to provide for the designation of the Park River Dam and Reservoir project in Walsh County, N. Dak., as the Homme Reservoir and Dam; to the Committee on Irrigation and Reclamation.

By Mr. CELLER:

H. Res. 622. Resolution to investigate into the propaganda activities of the Arab League in this country; to the Committee on Rules.

By Mr. ELLSWORTH:

H. Res. 623. Resolution requesting the Reconstruction Finance Corporation to make periodical reports to the House regarding premium payments made under section 11 of the Veterans' Emergency Housing Act of 1946; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 6466. A bill for the relief of Veto (Nee) Roberts and her son, Philip Gordon Marais; to the Committee on Immigration and Naturalization.

By Mr. CANNON of Florida:

H. R. 6467. A bill for the relief of Harry V. Ball; to the Committee on Claims.

By Mr. GAMBLE:

H. R. 6468. A bill for the relief of Joseph Fountain; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 6469. A bill for the relief of the estates of Harold P. Stites and William A. Miller; to the Committee on Claims.

By Mr. KLEIN:

H. R. 6470. A bill for the relief of Antonio Sorotas; to the Committee on Immigration and Naturalization.

By Mr. LEMKE:

H. R. 6471. A bill to authorize the Soil Conservation Service Administrator to sell certain submarginal lands in Billings County, N. Dak.; to the Committee on the Public Lands.

By Mr. McGEHEE:

H. R. 6472. A bill for the relief of John E. Peterson, James M. Hiller, Vivian Langemo, Floy Sibrie, and Ross Lee Brown; to the Committee on Claims.

By Mr. MILLER of California:

H. R. 6473. A bill for the relief of William H. Powell and Loretta B. Powell; to the Committee on Claims.

By Mr. SIKES:

H. R. 6474. A bill for the relief of Mrs. Hazel W. Macdonald; to the Committee on Claims.

By Mr. TOLAN:

H. R. 6475. A bill for the relief of the estates of William A. Miller and Harold P. Stites; to the Committee on Claims.

H. R. 6476. A bill for the relief of the legal guardian of Robert Whitehead, a minor; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1886. By Mr. HANCOCK: Petition of J. Carlton Hurley and other residents of Onondaga County, N. Y., requesting that Congress pass a resolution authorizing the President and the Secretary of Agriculture to issue directives preventing the use of grain for the manufacture of alcoholic beverages; to the Committee on Agriculture.

1887. Also, petition of Mr. and Mrs. Frank E. Stebbins and other residents of Onondaga County, N. Y., requesting that Congress pass a resolution authorizing the President and the Secretary of Agriculture to issue directives preventing the use of grain for the manufacture of alcoholic beverages; to the Committee on Agriculture.

1888. By Mr. LUTHER A. JOHNSON: Petition of J. R. Jones, Mexia, Tex., opposing tax exemption for co-ops; to the Committee on Agriculture.

1889. By Mr. KEOGH: Petition of workers of Columbia Machine Works, Inc., United Electrical, Radio and Machine Workers of America, Local No. 475, CIO, in support of the extension of OPA and against any crippling amendments; to the Committee on Banking and Currency.

1890. By Mrs. NORTON: Petition of the executive committee of United States Employment Service Employees, Local No. 968, American Federation of State, County, and Municipal Employees, Trenton, N. J., urging that appropriate action be taken to insure adequate financing for the full continuance and operation of the United States Employment Service; to the Committee on Ways and Means.

1891. By Mr. VOORHIS of California: Petition of Theo P. Schubert and 508 other operating and nonoperating railroad employees, requesting the enactment of legislation by the Congress providing for the payment of pensions of \$150 a month to men retiring from railroad employment after 30 years' service or at 60 years with two-thirds of such pensions paid to the widow of such a man; to the Committee on Ways and Means.

SENATE

FRIDAY, MAY 17, 1946

(Legislative day of Tuesday, March 5, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, without whose guidance our wisdom is but folly, keep us this day in serene sincerity of purpose with the seal of understanding charity upon our lips. Save us from being embittered by ingratitude, pettiness, or meanness, and from turning coward in the day of battle. May we be satisfied with nothing less than our best, however difficult and testing the duty before us. May the voice of the past warn us of paths which lead to national disaster, may the voice of the present call us to be prophets of good will in today's crisis, and may the voice of the future challenge us to a golden day when earth's dismal deserts shall blossom into glad-some gardens. In the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 17, 1946.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WALTER F. GEORGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

KENNETH McKELLAR,
President pro tempore.

Mr. GEORGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, May 16, 1946, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT— APPROVAL OF BILLS

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On May 15, 1946:

S. 1442. An act for the relief of George O. Weems; and

S. 1961. An act to exempt from taxation certain property of the Disabled American Veterans in the District of Columbia.

On May 16, 1946:

S. 842. An act for the relief of the Elmira Area Soaring Corp.; and

S. 2101. An act to amend the Trading With the Enemy Act, as amended, to permit the shipment of relief supplies.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its

reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5560. An act to fix the rate of postage on domestic air mail, and for other purposes; and

H. R. 6335. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1947, and for other purposes.

LEAVE OF ABSENCE

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to be absent from the Senate until Tuesday evening.

The ACTING PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PRINCETON UNIVERSITY BICENTENNIAL COMMISSION

The ACTING PRESIDENT pro tempore. The Chair appoints the Senator from Kentucky [Mr. BARKLEY], the Senator from Pennsylvania [Mr. GUFFEY], the senior Senator from New Jersey [Mr. HAWKES], and the junior Senator from New Jersey [Mr. SMITH] as the members on the part of the Senate of the United States Princeton University Bicentennial Commission, established by Public Law 367, approved April 26, 1946.

The President pro tempore serves as ex officio under the terms of the resolution.

PETITION

Mr. CAPPER presented a petition of sundry citizens of Orosi, Calif., praying for the enactment of Senate bill 599, to prohibit the advertising of alcoholic beverages in newspapers, periodicals, and motion pictures, and over the radio, which was referred to the Committee on Interstate Commerce.

PROTEST AGAINST RESTORATION OF FOOD RATIONING

Mr. CAPPER. Mr. President, I have received a letter from Lem Coffey, manager of the Service Supreme Groceries, Wichita, Kans., protesting against Mr. Bowles' suggestion that food rationing be restored. I ask unanimous consent to have this letter printed in the RECORD and appropriately referred.

There being no objection, the letter was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

SERVICE SUPREME GROCERS CORP.,
Wichita, Kans., May 14, 1946.

The Honorable ARTHUR CAPPER,
United States Senate,

Washington, D. C.

Subject: Food rationing and black market.

DEAR MR. CAPPER: We, as a group of grocers representing 72 retail stores of Wichita and surrounding territory, employing a combined force of approximately 300 employees, wish to voice our protest against Mr. Bowles' suggestion that food rationing be restored.

We believe that this is unnecessary and simply a means for OPA perpetuating themselves in office and working an undue hardship on the retail merchant and all other distributors of food.

Also, we believe that if all restrictions and price controls were lifted from the meat-

packing industry that the problem of meat shortage would automatically correct itself. The retail merchant in this territory is confronted with a serious problem in combating the black market, which seems to be flourishing just outside of the city limits of Wichita. This is a serious situation confronting the legitimate retailer who is unwilling to buy meat on the black market.

We sincerely hope that you will use your influence to correct this situation.

Yours very truly,

LEM L. COFFEY,
Manager.

RESOLUTIONS OF YOUNG REPUBLICANS OF FOURTH CONGRESSIONAL DISTRICT, EMPORIA, KANS.

Mr. CAPPER. Mr. President, I have received a resolution adopted by the Young Republicans of the Fourth Congressional District at their annual meeting held at Emporia, Kans., on May 5, opposing legislation which extends price control in this country for an unlimited length of time; also a resolution urging the Congress of the United States to enact legislation which would give enlisted men the same rights of terminal leave pay as that enjoyed by officers of the armed forces. I ask unanimous consent to have these resolutions printed in the RECORD and appropriately referred.

The ACTING PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and printed in the RECORD.

To the Committee on Banking and Currency:

"Whereas it is brought to the attention of the Fourth District Young Republican meeting at Emporia, Kans., on the fifth day of May, 1946, that legislation extending the OPA is before the Congress of the United States: Therefore be it

Resolved, That the Young Republicans of the Fourth District go on record as opposing legislation tending to extend price controls in this country for an unlimited length of time.

"That when items reach a point in production where their removal from price control would not incur danger of inflation, they be removed from price control.

"That amendments which tend to relieve gross inequities in price structure and that would further encourage increased production of commodities needed by consumers of this country be incorporated in any legislation affecting extension of OPA.

"DEL ROSKAM,
"Chairman.

"Attest:

"W. G. LEONARD,
"Secretary."

To the Committee on Military Affairs:

"Be it resolved by the Young Republicans of the Fourth Congressional District in convention assembled, That the Congress of the United States be urged to enact legislation which would give to enlisted men the same rights and privileges of terminal leave pay as that enjoyed by officers of the armed forces.

"DEL ROSKAM,
"Chairman.

"Attest:

"W. G. LEONARD,
"Secretary."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BROOKS, from the Committee on Commerce:

S. 1809. A bill to revive and reenact and amend the act entitled "An act authorizing the county of Gallatin, State of Illinois, its successors and assigns, to construct, main-

tain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Ill., to a point opposite thereto in the county of Union, State of Kentucky," approved July 18, 1939; without amendment (Rept. No. 1354).

By Mr. OVERTON, from the Committee on Commerce:

S. 1922. A bill to revive and reenact the act granting the consent of Congress to the State Highway Department of South Carolina to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C., approved August 18, 1941; without amendment (Rept. No. 1355);

S. 1983. A bill authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge or a free bridge across the Ohio River at or near Mauckport, Ind.; without amendment (Rept. No. 1356);

S. 1984. A bill authorizing the Indiana State Toll Bridge Commission to construct, maintain, and operate a toll bridge or a free bridge across the Wabash River near Mount Vernon, Ind.; without amendment (Rept. No. 1357);

H. R. 5187. A bill granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across New River near Radford, Montgomery County, Va.; without amendment (Rept. No. 1358);

H. R. 5357. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the Boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; without amendment (Rept. No. 1359); and

H. R. 5387. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River between the Borough of Belle Vernon, Fayette County, Pa., and the Borough of Speers, Washington County, Pa.; without amendment (Rept. No. 1360).

By Mr. KNOWLAND, from the Committee on Commerce:

H. R. 3565. A bill to authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge; with amendments (Rept. No. 1362).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 2209. A bill for the relief of the estates of William A. Miller and Harold P. Stites; to the Committee on Claims.

By Mr. TYDINGS:

S. 2210. A bill to provide for the return of certain securities to the Philippine Commonwealth Government; to the Committee on Territories and Insular Affairs.

By Mr. McMAHON:

S. 2211. A bill for the relief of Marie Volpe, administratrix of the estate of Leonard R. Volpe, deceased; to the Committee on Claims.

By Mr. MAGNUSON:

S. 2212. A bill for the relief of William D. Brooks; to the Committee on Claims.

By Mr. SHIPSTEAD:

S. 2213. A bill to extend to January 1, 1948, the time within which the States may construct or acquire toll bridges and make them free bridges, securing reimbursement from Federal-aid road funds for a part of the cost

of constructing or acquiring such bridges; to the Committee on Commerce.

S. 2214. A bill for the relief of Marvin Sachwitz; to the Committee on Claims.

By Mr. STEWART:

S. 2215. A bill to abolish the Office of Price Administration and to transfer certain of its functions to the Secretary of Agriculture and the National Housing Administrator; to the Committee on Banking and Currency.

By Mr. FERGUSON:

S. 2216. A bill for the relief of Steve Zevas; to the Committee on Immigration.

S. 2217. A bill to authorize the Commandant of the United States Coast Guard to accept reenlistments and extension of enlistments of certain individuals for duty at lifeboat stations during the year 1946; to the Committee on Commerce.

By Mr. YOUNG:

S. J. Res. 161. Joint resolution naming the dam and reservoir to be constructed on the South Branch of the Park River in North Dakota the "Homme Dam and Reservoir"; to the Committee on Commerce.

By Mr. GEORGE (for himself and Mr. BUTLER):

S. J. Res. 162. Joint resolution extending for 7 months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol; to the Committee on Finance.

AMENDMENT OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS OF 1942—AMENDMENT

Mr. MURRAY submitted an amendment intended to be proposed by him to the bill (S. 2028) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, and for other purposes, which was referred to the Committee on Banking and Currency and ordered to be printed.

HOUSE BILL REFERRED

The bill (H. R. 6335) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1947, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE BUSINESSMAN AND CONGRESS—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD the text of an article entitled "The Businessman and Congress," written by him for the May, 1946, issue of Commerce magazine which appears in the Appendix.]

THE SURPLUS-PROPERTY SCANDAL—ARTICLE FROM THE NEW YORK SUN

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article from the New York Sun of May 16, 1946, entitled "Congress Investigates Scandal in Sale of \$100,000,000 War Goods," written by Phelps Adams, which appears in the Appendix.]

SHOULD PRICE CONTROL BE CONTINUED?—DEBATE BETWEEN MERRYLE STANLEY RUKEYSER AND SAMUEL W. LEVITTIES

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a radio discussion on the "Wake Up America" quiz-debate on the subject Should Price Control Be Continued? participated in by Merryle Stanley Rukeyser and Samuel W. Levitties on April 30, 1946, which appears in the Appendix.]

THE TAKE IT EASY PROGRAM FOR ACCIDENT PREVENTION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a letter addressed by the American Automobile Association to the President of the United States, the President's answer, and a statement by the American Automobile Association, respecting the Take It Easy program for accident prevention, which appears in the Appendix.]

SOCIAL SECURITY—ADDRESS BY SENATOR MURRAY

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an address entitled "The Role of Social Security in the Future of America," delivered by Senator MURRAY at the West Virginia University convocation on May 8, 1946, which appears in the Appendix.]

HUMAN RIGHTS IN A WORLD ORDER—ADDRESS BY SENATOR MURRAY

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "Human Rights in a World Order," delivered by Senator MURRAY before the Committee of Catholics for Human Rights, in New York City on May 10, 1946, which appears in the Appendix.]

THE ST. LAWRENCE SEAWAY—EDITORIAL FROM THE DETROIT NEWS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "Seaway Opponent Is Far From the Truth," from the Detroit (Mich.) News of May 10, 1946, which appears in the Appendix.]

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. BYRD], as modified, as a substitute for section 8 of the committee amendment on page 28.

The Senator from Idaho [Mr. TAYLOR] has the floor.

Mr. WILEY. Mr. President, will the Senator from Idaho yield?

Mr. TAYLOR. I am happy to yield to the Senator from Wisconsin; but for what purpose, may I ask?

Mr. WILEY. I desire to ask unanimous consent to have printed in the Appendix of the RECORD an article from the New York Sun in relation to the surplus property scandal. I also desire to ask unanimous consent to have printed in the Appendix of the RECORD the text of an article I wrote for the May 1946 issue of the Commerce magazine, and I wish further to ask unanimous consent to offer to the pending bill an amendment to establish compulsory arbitration in utilities and vital Nation-wide industries in order to protect the public interest and to ask that the amendment be printed in the RECORD, that it be printed in the usual form, and lie upon the table, and in connection therewith I ask that I may be permitted to speak 3 minutes in explanation of the amendment.

Mr. BARKLEY. Mr. President, reserving the right to object, which I am not going to do in this instance, I want to say that I deplore the practice that has

grown up here of Senators who have the floor yielding to other Senators to make speeches, whether on the subject under debate or on other subjects. It is a vicious practice; it is a violation of the rules, and any Senator who does it automatically loses the floor, if any other Senator makes the point of order. It ought not to be indulged in. I make this statement because I am going to cooperate with other Senators in an effort to break up the practice of the Senator who has the floor farming it out, as we call it, to other Senators. It has been done during the last month to an extent that I have never before observed in the Senate. It ought not to be indulged in. I am not going to object to the request of the Senator from Wisconsin, but I feel that I ought to make the statement I have made for the future.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, I offer an amendment to the pending bill to establish compulsory arbitration in utilities and vital Nation-wide industries in order to protect the public interest.

This amendment is integrated with other amendments prepared by a group of minority Senators to the Case bill, H. R. 4908.

I have on countless occasions in past years suggested on the floor of the Senate that nothing short of compulsory arbitration machinery would save this country from the paralysis of ruinous strikes such as we are now experiencing. I feel now that with the strike crisis acute, with a Nation-wide railroad strike threatening tomorrow, a resumed coal strike looming ahead, a maritime strike and so on, and with this legislation long overdue, it is imperative that this body enact now some such legislation as I am introducing.

This amendment follows the general pattern of the accepted procedures of the Railway Labor Act, except that it makes arbitration compulsory rather than merely voluntary. I may say, too, that the amendment profits from several of the valuable elements incorporated in the industrial relations bill, S. 1171, introduced by the Senators from Minnesota [Mr. BALL], New Mexico [Mr. HATCH], and our former colleague from Ohio, Mr. Burton.

REASONS FOR AMENDMENT

I should like now to make certain points regarding this amendment:

First. Mere mediation and voluntary arbitration machinery are not enough to save America from strike chaos. Of course, such machinery must and should be used to the fullest extent. The compulsory arbitration which I now propose would go into effect only after the previous machinery had been fully exhausted.

I believe that it is inconceivable, however, that we should rest our hopes in mere "chance machinery" such as mediation and voluntary arbitration. I believe that a Nation which can and did take 16,000,000 men from its farms, its schools and its industries and place them

in the uniform of our country, can and should enforce compulsory arbitration in order to save the very values for which those men sacrificed so much.

I want to point out that:

(A) We are living in an atomic age when attack can come in a matter of minutes from rockets and guided missiles, and that, therefore, it is essential that our industrial machinery be preserved from an internal Pearl Harbor such as a disastrous strike.

(B) We are living in an economically complex age when every part of our economy is interdependent with every other part and is particularly dependent on such vital services as electricity, transportation, communications, and so forth.

(C) We are living in a revolutionary age in which we are contesting the worldwide forces of communism, dedicated to the proposition that the State must be all-powerful and that the individual is of no account.

In our own country the Reds and Pinks and other radicals are up to their ears, fomenting disunity and discontent in the ranks of labor and in the public and in promoting strikes.

In view of all this, it is inconceivable that we should allow ourselves to engage in mere wishful thinking and mere hopes that strikes will be settled voluntarily.

Second. No one regrets more than I the necessity for compulsion. I would infinitely prefer that right reason would prevail and that both labor and management would be free to engage in voluntary mediation and arbitration. But right reason does not always prevail as has been proven so many times in the past when labor leaders and men of management have forgotten their obligation to the public interest.

Third. I believe that if Congress does not enact compulsory arbitration machinery now, then Congress and the American people will have great cause to regret that decision in the months and the years to come.

America has been burnt, not once, but many times, by relying on wishful thinking and chance machinery to settle labor disputes. Perhaps she must be burnt still more before Congress has enough guts to enact such machinery as I propose. I deeply regret that my beloved country should have to undergo another burning in the fire of ruinous strikes, and that is why I am proposing this legislation now in the face of the very obvious opposition to it on the part of irresponsible labor bosses and, yes, of some irresponsible management bosses.

I ask that the amendment submitted by me be printed in the RECORD, printed in the usual form and lie on the table, and that a statement explanatory of the amendment may be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be received, printed in the RECORD, printed in the usual form, and lie on the table, and the explanatory statement

submitted by the Senator from Wisconsin will also be printed in the RECORD.

The amendment intended to be proposed by Mr. WILEY to the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes, is as follows:

On page 19, line 14, strike the period at the end thereof, insert a comma, and add the following: "except as specifically provided."

On page 24, line 22, strike the period after the word "act" and insert in lieu thereof the following: "except as otherwise provided by the provisions of this act relative to compulsory arbitration."

At the proper place in the bill, insert the following:

"SEC. —. (a) When the Federal Mediation Board finds and determines that a labor dispute affecting commerce, which is not settled or adjusted under other provisions of this act, or under the Railway Labor Act, as amended, if subject thereto, (1) involves an industry engaged in the production of goods or services which are essential to the public health, safety, or security, or to the normal functioning of the national economy, or which are furnished by a public utility whose rates are fixed by governmental agency, State or Federal, and (2) threatens or has resulted in such interruption of the furnishing of such goods and services as will endanger the public health, safety, or security in the Nation as a whole or any part thereof, or as will so substantially interrupt commerce as seriously to disrupt the functioning of the national economy, or in the case of public utilities as will substantially interrupt the furnishing of an essential monopolized service, then the Board shall so notify the President. Upon receipt of such notification, the President is authorized to require submittal of the dispute to arbitration by a board of seven persons (or, if the parties so stipulate, three persons).

"(b) Within 20 days after notice from the President to the parties to the dispute or their representatives that the dispute shall be submitted to arbitration, it shall be the duty of the parties and their representatives to enter into an arbitration agreement covering all the questions involved in the unsettled controversy. The parties shall have no power to withdraw questions submitted or to terminate the arbitration except upon written settlement of such questions or of the controversy, respectively, filed with the board of arbitration. Such settlements shall be effective for at least 6 months from the date thereof. In case of failure or refusal of the parties to execute such an arbitration agreement, the Board shall name the arbitrators and shall present to the board of arbitration a submission in behalf of the parties which shall conform as nearly as may be to the requirements for an arbitration agreement. Neither a board of arbitration named pursuant to the arbitration agreement nor a board of arbitration appointed by the Federal Mediation Board shall be limited or restrained in the exercise of its power to make a binding award by the failure or refusal of any party, or of all parties, to participate in the proceedings.

"(c) The provisions of section 7 second through section 9 of the Railway Labor Act, as amended (U. S. Code, title 45, secs. 157 second through sec. 159) shall govern arbitration conducted under this section to the extent that such provisions are not inconsistent with this section. Where used in the aforesaid sections of the Railway Labor Act, for the purposes of this section the term 'carrier or carriers' shall mean the employer or employers parties to the dispute and/or their representatives; the term 'employees' shall mean the employees parties to the dispute and/or their representatives; the term

'board of arbitration' shall mean such boards established under this section; the term 'Mediation Board' shall mean the Federal Mediation Board; and the term 'chapter' or 'act' shall mean this section.

"(d) Notwithstanding the provisions of the Railway Labor Act, for the purposes of this section:

"(1) A board of arbitration shall have the power to grant or deny in whole or in part the relief sought by any parties on any question submitted.

"(2) The provisions of section 7 (f) of the Railway Labor Act, as amended (U. S. Code, title 45, sec. 157 (f)) relating to filing the award with the Interstate Commerce Commission and to the effect of such award on the powers and duties of the Commission, for the purposes of this section shall be applicable only to awards in proceedings under this section to which carriers subject to the jurisdiction of the Commission are parties: *Provided, however*, That in all proceedings under this section involving carriers or public utilities whose rates are fixed by governmental agency, a certified copy of the award shall also be furnished to such agency and no such award shall be construed to diminish the powers and duties of such agency: *Provided, further*, That in the case of any award which grants an increase in wages or salaries, a copy of the proposed award, together with copies of the papers and proceedings and a transcript of the evidence taken at the hearings, all certified under the hands of at least a majority of the arbitrators, shall, before the award is filed for judgment thereon, be furnished to the Stabilization Administrator while such office exists, and a certified copy of such proposed award shall also be furnished the parties. The Stabilization Administrator, if in his judgment such action is necessary to prevent wage or salary increases inconsistent with the purposes of the Stabilization Act of 1942, as amended, shall have the authority to require by directive that the board of arbitration reduce its award to such maximum increases as in his judgment are consistent with the purposes of said act. Failure on the part of the Stabilization Administrator to exercise such authority within 15 days after the receipt of the award, papers, proceedings, and transcript and to issue such directive to the board of arbitration shall be deemed approval of such increase for all purposes under the stabilization laws and Executive orders and regulations issued thereunder. As soon as practicable after receipt of the directive from the Stabilization Administrator the board of arbitration shall amend its proposed award accordingly and issue the award so amended as a final award and the same procedural and substantive provisions shall apply thereto as to any award under this section, except that no award shall be held not to comply with the stipulations of the agreement to arbitrate or of the submission in behalf of the parties by the Federal Mediation Board because of the time consumed in conforming to this proviso or because the award grants or denies wage or salary increases in conformity with the directive of the Stabilization Administrator.

"(3) In the case of an arbitration agreement providing for a board of seven arbitrators the parties shall choose four and the arbitrators or the Federal Mediation Board, as the case may be, shall name three, all in the manner provided in section 7 second (b) of the Railway Labor Act aforesaid.

"(e) If an award is set aside in whole or in part and the parties do not agree upon a judgment to dispose of the subject matter of the controversy, the Federal Mediation Board shall reinvestigate the matter. If it makes the findings described in subsection (a) of this section, it shall so notify the President. The President is then authorized to require

resubmittal of the matters in dispute to arbitration pursuant to the provisions of this section and further to require that no person who was a member of the previous board of arbitration shall serve on the new board.

"(f) The duties of employers and employees and their representatives involved in the dispute, and the penalties for breach thereof, as set forth in section 3 of this act, shall continue from the date of the requirement of submittal to arbitration until the entry of final judgment upon an award, or until termination of the proceeding by written settlement, as the case may be. Any such settlement, as well as settlement of particular questions by agreement of the parties at any stage of the proceedings, shall be enforceable under the provisions of this act relating to enforcement of collective-bargaining contracts.

"(g) Unless in the arbitration agreement the parties stipulate for a longer period, an award shall continue in force for 6 months from the entry of final judgment thereon. During such period it shall be the duty of the employers and employees and their representatives involved in the dispute to adhere to the terms of the award and to refrain from strikes, lock-outs, and concerted slow-downs of production. Section 3, subsections (c), (d), and (e) of this act shall exclusively govern any breach of such duties.

"(h) Impeachment of awards under this section, provided for by reference, shall be the exclusive method of judicial review thereof."

The explanatory statement presented by Mr. WILEY is as follows:

EXPLANATION OF PROVISIONS OF SENATOR
WILEY'S AMENDMENT TO CASE BILL

INTRODUCTION

The premises of the proposed compulsory arbitration amendment are three.

First, labor disputes of the character described in subsection (a) should not be permitted to interrupt production because the damage to the public weal outweighs the possible gains to either of the parties obtainable by strike or lock-out.

Second, the compulsory features should not hamper the freedom of the parties to settle their dispute by negotiation.

Third, there should be a time limit on any award or settlement achieved by or during compulsory arbitration. In light of these premises such an act must provide for the maintenance of the status quo ante pending arbitration, for full freedom during arbitration to settle controversies by agreements, which will be effective for some minimum period of time, and for a time limit upon the award.

PROVISIONS

This amendment provides that upon the conditions described in subsection (a) the President may require the parties to submit to arbitration. The parties have 20 days to draw up an agreement to arbitrate covering all the issues, but if they fail or refuse to do so, the mediation board may appoint arbitrators and execute a submission on behalf of the parties, subsection (b).

From the date of requirement of submittal to arbitration to the entry of final judgment upon an award, the same duties to restore the status quo and to refrain from strikes, lock-outs, and slow-downs, as are applicable in the Ball-Taft-Smith cooling-off period amendment to section 3 of the committee bill apply to the parties, subsection (f). These provisions are designed to maintain production.

Subsection (b) leaves the parties free to settle all or any part of their dispute during proceedings. Such settlements must be effective for 6 months. This is to prevent collusive settlements to defeat the arbitration and resume industrial warfare.

Subsection (f) makes such settlements enforceable as collective bargaining contracts under the provisions of the Ball-Taft-Smith amendment relating thereto. It is to be noted that all provisions of other proposed amendments made applicable to this section are merely incorporated by reference.

The amendment places a 6 months limit on the duration of the award after judgment thereon unless the parties agree to a larger period, subsection (g). This is the same period that any settlement is to remain in effect, subsection (b). Since neither settlement under the pressure of arbitration proceedings nor the award itself can be considered wholly voluntary, and since conditions in the industry may change, a time limit of 6 months seemed fair.

The arbitration provisions of the Railway Labor Act, incorporated by reference, guide the arbitration and judicial proceedings on the award, so far as such provisions are not inconsistent with the amendment. The voluntary submittal, mutual right to revoke, and mutual freedom to withdraw questions, as given by the Railway Labor Act, are excised or modified for the purposes of this amendment. Under the Railway Labor Act judgment on award is enforceable as any judgment. Under this amendment (subsection (g)), violation of the award, strikes, lock-outs, and slow-downs, deprive employees of certain rights under the National Labor Relations Act or as to employers, if they are the violators, constitute an unfair labor practice under such act. These provisions are incorporated by reference to the cooling-off amendment to section 3, above-mentioned. This is consistent with the general enforcement provisions of other amendments. Since Congress created the rights under the National Labor Relations Act, it is believed that it can take them away altogether, and that power includes the power to modify them.

No involuntary servitude section appears because the proposed amendment to section 3 of the committee bill contains such a provision applicable to the whole act and the provisions of the Railway Labor Act applicable to this section do also (45 U. S. C. sec. 159, eighth).

Section (d) (2) provides for a review of an award increasing wages or salaries by the Stabilization Administrator while such office exists. The purpose is obvious.

If the award is set aside in whole or part, the dispute is still unsettled. Therefore, subsection (e) provides for reinvestigation by the Mediation Board and resubmittal to arbitration if the President so desires upon proper findings by the Board. The parties can obviate this by agreeing to a judgment disposing of the subject matter of the controversy if they so desire.

The exclusive review provided in subsection (h) is limited to impeachment on grounds of fraud, nonconformity with the act, and nonconformity with the submission to arbitration in order to assure parties a fair determination and at the same time prevent the burdening of courts with all the complex issues already decided by the award.

Mr. WILEY. I thank the distinguished Senator from Idaho for his courtesy in yielding to me.

The ACTING PRESIDENT pro tempore. The Senator from Idaho has the floor.

Mr. BROOKS. Mr. President, will the Senator from Idaho yield to me for the purpose of putting something in the RECORD?

Mr. TAYLOR. I am sorry, but, after the statement of the majority leader, I do not feel that I should yield the floor further. I certainly have no desire to delay the business of the Senate, but it

is felt by some that the practice of yielding the floor to other Senators is not proper. I certainly want to yield, but under the circumstances I do not think I should.

Mr. BARKLEY. Mr. President, I wish to say to the Senator from Idaho that I was not objecting to insertions in the RECORD or the introduction of bills, but I do object to having speeches made in the time of another Senator who has the floor. No time is saved, for the same speeches would probably be made anyway. I think the rule as to yielding for a speech should be observed, but I do not object to the insertions in the RECORD or the introduction of bills or other routine matters.

Mr. TAYLOR. I may say to the majority leader that the Senator from Wisconsin told me he would be very brief; otherwise, I would not have yielded to him in the first instance.

Under the circumstances I am happy to yield to the Senator from Illinois.

(Mr. BROOKS asked and obtained leave to have printed in the RECORD a radio discussion on the subject Should Price Control Be Continued, which appears in the Appendix.)

Mr. TAYLOR. Mr. President, I wish to call to the attention of the Senate an extraordinary circumstance, which has come to pass within the last 10 days. It is the fact that the tragic and deplorable plight of the American coal miner and his dependents has finally succeeded in commanding the attention of the American public. The iron curtain, which has been down so long over one of the most miserable phases of existence in the United States, now has been lifted. The lame, the halt, and the blind parade before our eyes.

Were there an orchestral accompaniment, it would be a funeral dirge. The macabre dancers are illness, privation, and death.

We recoil in horror from the scene. Can such things be in the United States? May God forgive us, but they are.

Yet, now that we are witnessing them, what are we going to do about them? The United States does many things for many peoples. Starvation in Europe? Send food. Starvation in Asia? Send food. Financing for the British Empire? Loan her the money. Epidemic in India? Rush doctors and medicines. Earthquakes or other cataclysms—any place? Send help, clothing, food, the means of shelter. There never has been an instance wherein the great heart of America has failed to respond when it learned of suffering and disaster. And it should respond, because we are the fortunate possessors of the most bountiful land in the world.

All right, the conspiracy of silence against the coal miner—the evil fruit of long years of man's inhumanity to man—has come to an end. The American coal miner stands before us, grimy faced and toll worn, underpaid, poorly nourished, horribly housed.

He descends into the blackness of the earth, and all the hazards this connotes, so our homes may be warm, our hearths reflect cheer, and our industries func-

tion. And what does he get out of it—for himself, his wife, and his children?

We know the answer now. We have had it in words and in pictures in three of the newspapers in the Nation's capital. They are the Washington Times-Herald, the Washington Star, and the Washington Post.

I wish to express my appreciation to Mrs. Eleanor Patterson, the editor of the Times-Herald, for dispatching a reporter and photographer to Kenvir, Ky., and for the stark and grim revelations of life in a mining town which resulted from her action.

I wish also to thank Mrs. Agnes E. Meyer, the wife of the publisher of the Washington Post, for her first-hand reporting of conditions in the coal fields.

I desire likewise to pay tribute to Mr. James Y. Newton, of the Washington Star, for his admirable work in bringing to the public the real issues of the coal strike.

There is no need for me to expatiate upon the social degradation that is the unmerited lot of 600,000 American coal miners and their 3,500,000 dependents. The facts are before us.

If the Congress of the United States could meet but for a single day in Kenvir, Ky., the shocking indecency toward and mistreatment of the American coal miner would end forever.

Mr. President, yesterday I was criticized for reading various articles and statements rather than talking extemporaneously. I do not profess to be an expert on very many subjects, and therefore if I can quote from experts I feel that the testimony should have more validity than if I stood here and expressed offhand opinions of my own. For that reason I expect to continue for a short time only, and I shall read at this point a pamphlet published by James F. Lincoln, president of the Lincoln Electric Co., of Cleveland, Ohio, entitled "Intelligent Selfishness and Manufacturing." This is very pertinent to the subject in hand, the question of labor legislation, because it outlines the policies followed by the Lincoln Electric Co., and the very successful labor relations which have resulted from those policies. I read:

INTELLIGENT SELFISHNESS AND MANUFACTURING

Great as American industry is, it leaves largely untapped its great resources, the productive power, initiative, and intelligence latent in every person. The Prophet states it: "Thou madest him to have dominion over the works of Thy hand." That conception is a far cry from the normal evaluation of man by his contemporaries. Truly man is so made but our industrial does not now fully develop these abilities.

There have been many who have guessed what the result would be if a large, intelligently led, enthusiastic organization should use the powers latent in all the individuals to a common end. What would happen when all are equally anxious to produce a product at the lowest possible cost? What would happen when all want to make the wages of all workers, from sweeper to manager, a maximum? What would happen when all want to make the company profitable since it is largely owned by the workers in it?

This cannot be done by human beings except by the exploitation of the driving force fundamental in all of us, namely, selfishness. Selfishness has a bad reputation

but that is because of a narrow conception as to what it really is. No program involving the human race developed as it has been through the ages on the concept of "survival of the fittest" can be founded on any other principle than selfishness. The only necessary corollary to this principle to make it attractive, helpful, and satisfying to all concerned is to make this selfishness intelligent. The greatest heights we attain as humans—patriotism, parenthood, and friendship—are all based on this same human trait—selfishness. The result which can occur when this incentive is tapped can be illustrated by the following example:

The Lincoln Electric Co., of Cleveland, was started by one man with a capital of \$150 of borrowed money in 1896 and has had no outside capital since. The company has tried to follow the principle of appealing to the intelligent selfishness of the worker, the manager, and the investor. It has gone along its unique path for a long enough time so that its results are proven. There is sufficient history back of the facts so that no error can be made in appraising the outcome. The results are:

(a) Lincoln workers, at least in the factory, are the highest paid employees in industry anywhere in the world.

(b) Lincoln workers produce more per hour than any organization making a comparable product in the world.

(c) Lincoln selling prices are less than those of any company making a comparable product. Obviously, companies making specifically competing products must sell at the same price if they are to remain competitors.

(d) Lincoln stockholders have never missed a dividend since the first payment was made in 1918.

(e) The Lincoln Electric Co. does approximately half of the total arc welding business of the United States and more than a quarter of all the arc welding business of the world.

(f) Practically speaking there is no labor turnover.

(g) There is no labor union.

Following is the story of this company's methods used to produce these results:

1914: An advisory board was formed. The basic job of this board is the developing of the normally unused abilities inherent in the organization. In order to bring the intelligence of all people in the organization to bear on the subject this board was chosen from the entire personnel of the plant. This was done by electing one man from each department by the vote of all the people in such department. The foremen in the plant also elected a representative foreman from their group. These men with the plant superintendent and president (who acts as chairman) constitute the advisory board. This board has authority over all matters affecting the man and shop operations. They are the board of directors for the plant.

This is what that board did from 1914, when formed, to date:

1914: Decreased the hours of work from 55 (then standard) to 50, with a 10-percent increase in wage rates. The result of this action was to increase efficiency so that the cost per piece was definitely reduced.

1914: Installed a piecework plan which has been satisfactory to all concerned (both workers and management), without change of this plan to date. The rates are guaranteed by the company after being set by an expert time-study man who has been trained in that department. The worker, however, has a right to eliminate the price by challenge. When this is done the time-study man runs the job himself for a day. Whatever his earnings are, whether higher or lower, is the new price. This price is subject to the same rules as the first one, however. The company can change the price

only by changing the method, design, or tooling, thus making it a new job.

1915: Insured the lives of all workers for the equivalent of a year's wages at no cost to the worker.

1918: Tried bonus payment, which was not successful at that time. This was the "silk-shirt era." The amount of this bonus was not a large percentage of the year's wages although it was half of the dividend declared that year. Also, the mutual understanding between management and men which longer experience developed was not then present.

1923: Adopted the policy of vacation of all workers with pay, shutting down the entire factory for this purpose the second and third weeks of August each year. This was a radical departure at that time although it has become more common in recent years.

1925: Sold stock of the company to the employees who desired it, providing the workers had been continuously employed for 1 year. More than half of the normal workers are stockholders. They largely own their own plant.

1929: Established a suggestion system. Suggestions which were accepted, made by any man outside of engineers, time-study men, and others who from the nature of their jobs were responsible for improvement in methods or design, were rewarded in cash. The amount of this award was half of the net estimated saving for the first year of use after acceptance. This plan not only resulted in many good ideas, but it also kept those executives primarily responsible for such progress on their toes.

I may say at this point, Mr. President, that my own experience in a war plant shortly before coming to the United States Senate certainly leads me to believe that the idea of urging the workers to try to find new and better and more efficient ways of carrying on production in a factory should be a good one. In the factory where I worked there was no such program in effect. Frequently I saw operations that could have been shortened immeasurably. For instance, the Army, the Navy, or the Maritime Commission would give the plant a job consisting of the making of a great number of the same article. For the manufacture of the articles, we could have taken a day or two or three and made jigs; that is, frames in which to fit the articles, and then have welded them together just as fast as we could have thrown them into the frames, and could have turned out the whole job in a week or 2 weeks. As it was, no one was encouraged to devise a method to shorten the process. As I have stated before on the floor of the Senate, it was a cost-plus factory. So each article was measured and welded together, and thus the job, which could have been completed in a week or 10 days, would require 2 or 3 months. It was very disheartening. After a while no one tried to introduce improvements. One got to feeling after a while, "What is the use? They do not care whether the work is done efficiently or not. Why should I break my neck to try to speed up the work when we receive no encouragement to do so? If they would simply let us use a little horse sense we could complete the job very quickly."

Mr. President, when businessmen come before the Committee on Banking and Currency and criticize OPA for not using horse sense, my mind goes back to my experience in the war factory.

I continue reading from the pamphlet published by the Lincoln Electric Co.:

1934: Paid the second bonus which started the present bonus plan. This new plan was more workable than that of 1918 and has thoroughly succeeded. This second bonus was paid after the slump of 1929 to 1934 and was perhaps much more attractive because of that. In any case, it had a profound effect and resulted in greatly increased production, interest, and cooperation. These bonuses are based on the success of the company and are distributed on the basis of value of the man to the company for that year. The decision as to division of bonus is made by the president who alone, of all the personnel, gets no part of the money.

1936: Installed an annuity plan so that all faithful workers may be retired with pay when their working life is over. This results in not only rewarding the faithful employee but eliminates him from the possibility of accident which his failing powers may introduce.

1941: Installed a trust-fund plan for the workers.

1914-42: Handled the countless problems which arise in any operation as involved as a large manufacturing plant.

The results of these acts in total are manifold. If they did not increase production at least as much as their cost they would have been impossible. It must be seen in action to believe how great the result can be. No one otherwise can understand the advance that can be made when a man works in his own company, for his own benefit, and with his full enthusiasm.

The following graphs will show what the results of these policies have been.

The booklet contains graphs. Of course, they cannot be printed, so I will turn to the end of the booklet and read from the part headed "Suggestions":

Perhaps the following comments may be valuable in helping others to put in the same or a better method of arousing the intelligent selfishness of their own workers:

1. Management must be able to lead the organization in the direction of more efficient methods as fast as the method can be absorbed by the organization. This will be found to be the chief difficulty in most plants.

2. Management and men are "fellow workers." Neither is superior but each is responsible for their part in the result. Of course, management's direction is unquestioned and enthusiastically followed.

Of course we understand that in this case management includes representatives of labor.

Consequently, management must be made up of the best managerial ability in the organization. When a man with new managerial ability arises he is recognized. When one who is a manager slips he is eliminated. Accomplishing the elimination may give some trouble both in understanding and in doing in some organizations. Management must be able to stand on its record and be accepted by all the workers as being fair, able, and intelligent.

Can it be said that the operators of the coal mines are fair and intelligent, when we see pictures in the newspapers of the miserable housing conditions suffered by workers in the coal mines? Certainly such conditions are not calculated to get the best efforts and cooperation out of a worker.

3. A factory worker cannot express his ideas as well as a trained man of the world but he has them just the same. Management must be able to see, select, grade, and apply these ideas accurately and fairly.

4. The goal of the organization must be this—to make a better and better product to be sold at a lower and lower price.

As I pointed out yesterday, Mr. President, this does not happen in a great many cases. It may have happened in the case of the Lincoln Electric Co. In 1929 production efficiency had increased, but, instead of passing the savings on to the consumers in lower prices, management raised the prices, and the consumers did not have the money to buy the goods. Inventories accumulated, and a breakdown resulted. I predict, Mr. President, that the very same thing is going to happen again. Possibly within two years, and at the outside within five years, the American economy will collapse because of this same procedure—an increase in efficiency of the workers and disinclination or refusal on the part of the managerial end of our production machine to lower prices or increase wages. They could increase wages so that the workers could buy the goods, or they could lower prices so that the workers could buy more goods with their existing pay checks. But they will not do it. They have insisted on price increases in every case in which the workers received a wage increase.

In the questionnaire sent out by former Governor Stassen, of Minnesota, to the Republican rank and file throughout the country he asks, "How are we going to bring wages and the cost of living into balance again?" The cost of living has risen 33 percent, and workers' wages have increased only 15 percent. In other words, prices are going up faster than wages. Who else, may I ask, would get the 18-percent margin except the owners of the factory? So the same thing is happening again.

We can keep our economic machine going for a while because of the pent-up purchasing power that the common people have accumulated during the war, but that will not last forever. As soon as automobiles, refrigerators, washing machines, and many other durable articles start coming off the production lines in great numbers the reserve purchasing power will disappear and current purchasing power will not be equal to production, and our economy will collapse.

Profit cannot be the goal. Profit must be a byproduct. That is a state of mind and a philosophy. Actually, an organization doing this job as it can be done will make large profits which must be properly divided between user, worker, and stockholder. That takes ability and character.

5. It must be kept in mind at all times that this is a natural working out of our inherent selfishness. The only difference between the Lincoln Electric Co. and the usual industry is that in this case the selfishness is more nearly intelligent. A sneak thief is selfish but not intelligent. The civil war called collective bargaining is selfish but not intelligent. The exploiting of workmen is selfish but not intelligent. The practice of raising prices in a seller's market is selfish but not intelligent. The charging of "all the traffic will bear" is selfish but not intelligent. War is selfish but not intelligent. The only difference between these acts and the program explained herein is that these acts are stupidly selfish and the activities outlined herein are intelligently selfish.

When we as a Nation adopt this principle of intelligent selfishness into our philosophy of life and industry we will have stopped unemployment of the employable, stopped poverty for the able-bodied, and, what is more, we will have gone far toward the elimination of misery no matter how caused.

Mr. President, this pamphlet is very pertinent to the discussion in hand. I am convinced that we cannot enact legislation which will outlaw strikes. We cannot make the miners or any other workers go back to work unless they have conditions which are satisfactory to them. It seems to me that until our industrialists have this intelligent selfishness and take the workers into the business and give them an interest in the business, we are bound to have disputes. I am opposed to any legislation calculated to make it possible to bring laborers or their unions into the courts.

I should like to read an excerpt from a book entitled "Cartels," written by Wendell Berge, and then I shall conclude.

Mr. HICKENLOOPER. Mr. President, will the Senator yield? I should like to read a letter to the Senator and ask for his comments on it.

Mr. TAYLOR. I am happy to yield.

Mr. HICKENLOOPER. This morning I received a copy of a letter from a vegetable packing company in California. The letter is a page and a half long. If the Senator will indulge me while I read it to him, I should be glad to have his comments on it. The letter is self-explanatory. The letter begins "Dear Ed." It is written to a citizen of Iowa, who forwarded it to me, and reads as follows:

DEAR ED: The jurisdictional strife between the AFL and the CIO finally came to a climax last Friday morning when the CIO placed a picket line around our cannery and property with some 400 pickets and goons who blockaded the plant. The only three people who were legally let into the plant were Frank, Dave, and myself. Fired by loyalty and indignation, some of our key employees, along with the majority of our office help, finally managed to get in over the back fence, but not until we had had some violence at the front gate. One of the thugs took a poke at Dave and gave him a beautiful black eye, and two of our office employees were ruffled up very badly before the sheriff and his deputies got here. We are really shut down now.

In order to review the situation for you a little, last fall when most of the canneries were at the minimum of production and employment, the CIO took a vote, and won the cannery election. However, the AFL had it reviewed, and the National Labor Relations Board canceled the election the first part of August when the peak number of cannery employees were on the job. There has been strife between the two unions ever since.

As you remember, during the spinach pack we wrote you a letter saying that we had a ghost picket at the gate placed there by the AFL teamsters to keep their trucks from coming through. We got over that by having the farmers drive their own trucks in the plant, and the employees stayed on the job.

The California Processors and Growers, of which we are members along with 62 other canners, held a meeting at which it was decided the right thing to do was to make an agreement with the AFL, with whom we were signed up before the election until the election ordered by the NLRB could be held in August. At the meeting it was stated there would be no pressure brought to bear

upon the CIO members to sign with the AFL on clearance cards, and they could go on working just the same as the AFL workers. However, the agreement stated that the new employees coming into the plant should sign up with the AFL. This stipulation, I suppose, irritated the leaders of the CIO, who started closing down plants 3 weeks ago. They closed Richmond Chase here in Stockton; Libby, McNeill & Libby, in Sacramento; and us last Friday. It is their policy to close down all the canneries before they will start negotiations.

Now, mind you, there is nothing on our part we can do to stop this picket line. We were beginning our pea pack, the finest quality of California peas ever grown, and would have reached the peak either Friday or Saturday of last week. That pack is now gone. We had hopes of getting into the asparagus pack, and, by the way, had 1,100 boxes of asparagus on the floor ready to be canned Friday morning, which was a total of 2½ days of cutting in the field. This, along with all the peas that were vined at night, were a total loss.

There will be no shipment, nor any business whatsoever transacted while this strike is on. However, the CIO picket line yielded a point this morning when they allowed the keymen in the plant and our office force to come through the gate after we had a meeting here at the plant at 9 o'clock. In this land of plenty, and with crops ahead of us which look like the largest in the history of California, and starving people in the world, we people who want to do the right thing are run by organizations such as the one out in front of our plant; and no law in America will help us do something about it. Will advise you when something more materializes.

The question I should like to ask the Senator—and I ask it without any hostility toward the right of men to organize or the right to strike when a principle is involved—is this: What justification can labor find for striking on a jurisdictional question, in a food industry, when you and I and most of the other people of the United States—and I refer especially to the people of the Middle West—are striving in every way to develop and produce food which not only will feed the people of the United States but will aid in preventing the starvation and devastation of Europe? What justification can a jurisdictional strike have in such a case as that mentioned in the letter I have just read, where no question of working conditions is involved, no question of pay is involved, no question of the economics is involved, but the matter involved is only a division or a discussion or a virtual battle in regard to jurisdiction? I shall be pleased to have the Senator's comments on that point.

Mr. TAYLOR. Mr. President, I am very happy to make a few comments for the benefit of the Senator from Iowa. In my remarks I have at no time undertaken to defend jurisdictional strikes. I am not familiar with what the present machinery is, if any, for handling such matters; but the jurisdictional strike is one form of strike to handle which I feel the Government should have compulsory arbitration machinery.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for another question?

Mr. TAYLOR. Yes.

Mr. HICKENLOOPER. If the Government should have arbitrary power to

settle that kind of a strike, is not the principle just the same in regard to any kind of strike?

Mr. TAYLOR. No.

Mr. HICKENLOOPER. In other words, can the Senator from Idaho differentiate between different kinds of strikes?

Mr. TAYLOR. No; the principle is not the same. It is altogether different. I would see to it that we work to secure adequate machinery so as absolutely to prevent jurisdictional strikes. Surely, we can contrive democratic machinery for elections in such cases, and can see to it that they are honestly held. When they are, that should settle the matter; and there should be penalties, in my estimation, to prevent anyone from striking because a jurisdictional strike is settled in favor of one or the other party to the strike.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TAYLOR. I am happy to yield.

Mr. MORSE. I ask the Senator to yield to permit me to make a very brief comment in regard to certain remarks made by my friend the distinguished junior Senator from Minnesota [Mr. BALL], as shown in yesterday's RECORD on page 5098, in the first column.

In fairness to the Senator from Minnesota, as well as in fairness to myself, I think that any basis for any misinterpretation of his remarks insofar as applying them to the junior Senator from Oregon should be cleared up. I say "misinterpretation" because although I am satisfied that the junior Senator from Minnesota was not in fact referring to the junior Senator from Oregon, nevertheless, newspapermen who have talked to me earlier today seem to be laboring under the impression that his remarks were intended to relate to me.

I now read from page 5098 of yesterday's RECORD. The junior Senator from Minnesota said, yesterday afternoon:

I think it has become perfectly clear that the group of Senators who are opposed to having the Senate vote on any kind of labor legislation which is opposed by the leaders, although not necessarily by the rank and file of organized labor, are determined to do their best to talk the pending legislation to death, in other words, to filibuster. I think it is rather significant that most of these Senators are the ones who have always protested most loudly when any other minority in the Senate attempted the same tactics.

I simply wish to say in regard to securing Senate action on the measure now pending before the Senate that the junior Senator from Oregon was one of the members of the Senate Committee on Education and Labor who took the position in the committee that the measure should be reported by the committee, either favorably or unfavorably, to the floor of the Senate, so that the Members of the Senate could at the earliest possible date vote on it. I announced that I would move to discharge the committee unless it reported the legislation to the Senate. I expressed the hope that it would report unfavorably on the Case bill, which it did.

I wish to say for the RECORD—I think I have made my position clear in the meetings of the Committee on Education and Labor—that I do not favor filibuster-

ing against any measure, be it one which I favor or one which I oppose. So far as I am concerned, the junior Senator from Minnesota will find me, in this debate, just as soon as I am satisfied that the debate on the merits of the pending measure has been completed, joining in an attempt to see to it that the discussion ends and that the Senate proceeds to vote.

In the past I have signed cloture petitions. I shall always be willing to sign a cloture petition whenever I become convinced that an attempt is being made on the floor of the Senate to filibuster the measure then pending, I care not whether I am for it or against it.

As I have said to the Members of the Senate earlier in the debate, it is true that I am thoroughly opposed to most of the amendments to the bill now pending before the Senate. Yet I try to be a realist in connection with these matters. I believe a great job has been done in this country in propagandizing and stirring up public hostility against labor, with the result that the American people are now clamoring for antilabor legislation. I believe that they will get it. I do not believe there is anything which will stop it. I believe the Senate is in a mood to pass some antilabor legislation which I think will prove to be in the best interest of neither labor nor industry, and, most important of all, it will prove not to be in the public interest. But I believe also that, under our democratic form of government, whenever the Representatives of the people, in the Congress assembled, are ready to pass such legislation, they should have the right to pass the kind of legislation which they may think the American people want them to pass. Hence, I shall do all that I can from this desk, as soon as I am satisfied that the debate is completed on the merits, to see to it that Members of the Senate have an opportunity to vote on the amendments. If I become convinced that a filibuster is taking place I shall never hesitate to sign a cloture petition for the purpose of bringing about an opportunity to vote.

Mr. President, I close my remarks with this comment: The people of the country who are clamoring for antilabor legislation are apparently going to have to learn at a costly expense to themselves that democracy cannot be maintained when at the same time they seek, as a substitute for the principles of voluntarism on the basis of which democracy rests, government compulsions over the economic and social life of this Nation. One of the characteristics of freemen is that once they come to understand that an injustice has been done them, once they realize that there have been transgressions upon their inalienable rights of freedom, they will rise up against the laws which infringe upon their freedom.

Mr. President, I know that it is not politic, I know that the statement which I am about to make will be subject to misunderstanding, and I know that there may be those who will say that I do not believe in government by law, but I point out to the Senate that we will lose government by law whenever in a democratic society we adopt legal measures which

put too great a strain upon democracy. We cannot have democracy and at the same time, by strait-jacket legislation, impose upon freemen restrictions which they believe to be unjust and in violation of their right to seek a better standard of living through the voluntary procedures of group economic action.

I venture the prediction that when the Senate completes its consideration of the pending measure, and passes the type of legislation which I believe it will pass in response to a momentary Nation-wide hostility to labor, it will have bought for the American people instance after instance of violence and instance after instance of law violation, because as the Government seeks to enforce that type of legislation we will find freemen resisting it, and instead of strengthening government by law it will greatly weaken it.

Mr. TAYLOR. Mr. President, I thank the Senator from Oregon for his splendid remarks. I am honored to have an expression of his sentiments appear in the RECORD along with the remarks which I have been allowed to make.

Mr. President, in concluding my remarks I wish to read a paragraph or two from a book entitled "Cartels—Challenge to a Free World." The author of the book is Wendell Berge, Assistant Attorney General of the United States. I wish that through the medium of the RECORD, or in some other way, I could broadcast to the people of the United States the entire contents of the book and let them see clearly from what direction the real danger lies to our democracy and our free enterprise system. In this particular case the author of the book is talking about patents, and the abuse of patent rights. He says:

It is ironical but true that while a patent is supposed to give protection and encouragement to the inventor, possession of a patent today is little more than an invitation to predatory litigation. The threat of expensive and protracted patent litigation is perhaps the most effective means by which monopoly enforces its private rule on industry to eliminate competition.

The small businessman facing such obstacles has limited choices of action. He can sue the large group, or risk suit, but in either event will find himself involved in a costly, lengthy process. He generally emerges with a broken spirit and a petition in bankruptcy.

The files of the Department of Justice are crowded with complaints and pleadings of these little men. They have found these handicaps insuperable in their attempts to compete. In giving testimony before the Temporary National Economic Committee, one small manufacturer in the glass-container industry recited a tale which is frequently and tragically repeated throughout many branches of production. This particular witness, sued for infringement on nine or ten counts, stated:

"We naturally were finally forced to hire a patent attorney. We had to acquire the services of a Texas attorney, and I think there are some two or three patent attorneys in the State. They brought us into court in April of 1935, as I recall. Well, when I arrived in San Angelo and met them there in the hotel I can conservatively say there was a half train load of attorneys and equipment. There were motion-picture projectors and attorneys all over the place. I don't know anyone of the Hartford legal staff that was not there. They were prepared to give us a nice battle. Well, I had only one at-

torney and he was considerably lost in that crowd. I wish you might have seen his face that morning. So I promptly asked for a recess until the afternoon in order to see if we couldn't settle the case out of court."

As the witness testified at the time, the "settlement" was "a sort of slow death arrangement."

That is why I say, Mr. President, that I shall not vote to make it possible to drag labor unions and individual workers into the courts, because great monopolies have the power to keep them continually in the courts. No issue would be settled, because labor would not take it lying down, as many small businessmen have been forced to do. Friction between management and labor would be increased, and more strikes, rather than fewer strikes, would be caused.

Mr. President, I thank the Senate for its kind indulgence. I repeat that in the year and a half during which I have been a Member of the Senate, up until the talk which I am now completing, I addressed the Senate probably not longer, altogether, than an hour and a half. I therefore resent the implications made yesterday on the floor of the Senate that I was in any way indulging in a filibuster. I believe those implications were entirely out of order.

Mr. O'MAHONEY obtained the floor.

Mr. HILL. Mr. President, will the Senator yield to me in order that I may suggest the absence of a quorum?

Mr. O'MAHONEY. I yield.

Mr. HILL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hawkes	O'Mahoney
Austin	Hayden	Overton
Ball	Hickenlooper	Pepper
Bankhead	Hill	Reed
Barkley	Hoey	Revercomb
Brewster	Huffman	Robertson
Bridges	Johnson, Colo.	Russell
Brooks	Johnston, S. C.	Saltonstall
Buck	Kilgore	Shipstead
Bushfield	Knowland	Smith
Butler	La Follette	Stanfill
Byrd	Langer	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McMahon	Tunnell
Eastland	Magnuson	Tydings
Ellender	Maybank	Wagner
Ferguson	Mead	Walsh
George	Millikin	Wheeler
Gerry	Moore	Wherry
Guffey	Morse	White
Gurney	Murdock	Wiley
Hart	Murray	Wilson
Hatch	O'Daniel	Young

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] and the Senator from Virginia [Mr. GLASS] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Missouri [Mr. BRIGGS], the Senator from Nevada [Mr. CARVILLE], and the Senator from Idaho [Mr. GOSSETT] are absent by leave of the Senate.

The Senator from Florida [Mr. ANDREWS] and the Senator from Tennessee [Mr. MCKELLAR] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator

from Washington [Mr. MITCHELL], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Maryland [Mr. RADCLIFFE] are detained on public business.

The Senator from Texas [Mr. CONNALLY] is absent on official business, attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business, attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Indiana [Mr. WELLS] is necessarily absent.

The ACTING PRESIDENT pro tempore. Seventy-eight Senators having answered to their names, a quorum is present.

AMERICAN FAILURE NOW WOULD BE TRAGEDY

Mr. O'MAHONEY. Mr. President, I rise today out of a profound feeling that the United States and the world are facing one of the greatest crises of modern times. By what we do now, by our ability to meet the fundamental issues which are presented, and to rise above the irresponsibility and demoralization which are obvious on every hand, we shall determine, it seems to me, whether or not the world will profit by the American experiment in free government.

No greater tragedy could occur to mankind at this hour than the failure of the American people to compose the differences which are now tearing them apart and to devise a comprehensive policy under which all branches of our economy may cooperate to win industrial peace.

We cannot hope to win international peace while engaged in economic warfare at home.

The time has come for plain speech. Senators gather in committee rooms, they gather in the cloakrooms, they gather at luncheon and at dinner, and in their private conversations they all acknowledge that they never saw a time when conditions were more confused and uncertain, in Congress and in the country, than they are at this moment. Not in 160 years has there been such a situation as that in which we now find ourselves. I say 160 years advisedly, because I am thinking of the conditions which existed after the victory had been obtained by the colonists in the American Revolution.

After the Constitutional Convention had completed its labors, and it was known that an agreement had been reached upon a draft of a new Constitution, Benjamin Franklin, we are told, was leaving the Convention Hall in Philadelphia when he was approached by a woman who sought to inquire what the result had been. "What sort of a government do we have, Mr. Franklin?" she asked. He said, "A republic"; and then added, "if we can keep it."

Mr. President, I think those words of Franklin in 1787 are almost true now. We shall be blind to what is going on in

the world if we do not realize that the very foundations of free government are tottering and that men are turning backward toward central arbitrary power.

Because the people of America had been made free and, under the Constitution, were able to make their own living in their own way, develop the resources of the land, and work for progress, this country became the greatest Nation in the history of the world, the wealthiest industrial Nation, the most productive Nation. We were sheltered by a vast expanse of ocean from aggressor nations which might have desired to seize our resources. We were protected by nature itself, and we were free to develop. Oppressed peoples of all the world came to the United States, and here in freedom they worked out a new era of civilization for mankind. They raised the standard of living higher than it had ever been before anywhere. More of the people in the United States shared in the benefits of prosperity than ever shared in the good things of life on any continent or in any nation.

A FREE WORLD IS ENDANGERED

Now, however, Mr. President, because of the tremendous advance brought about by technological gains and inventive genius, all boundaries have been practically wiped away. The oceans mean nothing now. They are no longer a protection against aggressive warfare. They are not, Mr. President, a protection against the invasion of alien ideas. Everybody knows that the world is now facing the choice between free government and arbitrary government. There can be no doubt about it. We must make up our minds whether we want a free world or whether we are going to permit ourselves to drift into a controlled world. If the world is to be free, then it is to be free for all men, for all races and all classes of men. If it is to be a controlled world, it will be controlled by arbitrary power exercised by private groups, a situation which we describe as monopolistic imperialism, or it will be controlled by arbitrary government, which we describe as totalitarianism.

We are confronted with that choice, Mr. President. The world is confronted with it. Mankind now trembles upon the very brink of doom, and by what we do in the United States, by our ability to appraise the problems which confront us and our willingness in the democratic manner to reach a solution of them, will depend, in my judgment, whether or not the world will go forward under the principles of democratic freedom, or whether it will go backward to a long period of arbitrary control. How can we hesitate here to make the choice?

Mr. President, the time has come, it seems to me, to make an appeal to the conscience and the good sense of the American people. Perhaps I should not say it that way. Perhaps I should say first that the appeal should be made to the conscience and the good sense of Congress, because, Mr. President, irresponsibility has been exhibited in these halls. I do not charge Members of the House or Members of the Senate with any

conscious failure to meet the tragic issue of our time, for I know that there has been such a concentration of difficult and confusing problems that it is impossible to give to each problem the time it deserves. Senators know it is almost impossible to obtain a quorum in any committee of the Senate or the House, but we act as though things were normal and somehow will work themselves out.

Senators talk about streamlining Congress, as though that would clear the air; as though by making fewer committees we would make it more possible for Congress to function. That is not the problem. It is not the committee organization of the Senate or the House that causes the near break-down of legislative government. It is the concentration here in Washington of all the problems of all the people and of all the areas of the United States.

We are beset by problems of debt and taxes. We are beset by problems of wages and prices and profits. We are beset by problems of housing and food and clothing. We are beset by problems of military power—the draft, the merger of the Army and the Navy, the atomic bomb. We are beset by problems of peace. They all crowd in upon the Executive and upon the legislative in such a manner that it is impossible for us to meet our responsibilities.

My heart goes out, Mr. President, to the man in the White House for the burdens that are being carried by him. The same pressures that are exerted upon us are exerted upon him, but a hundred-fold greater. It is our duty to frame the laws, but do we not know, Mr. President, that for the past 13 years we have been adopting temporary measures to meet emergency conditions? Law after law is proposed merely to meet a situation as it exists at the moment. Temporary solutions rather than permanent have been the order of the decade.

We talk of free enterprise, and we adopt control measures. We declaim against Federal interference in local affairs, and we pass bills that deliver local areas into the hands of the Federal power. We say that the Government should not spend, but when the crisis comes, even those of us who have said that clamor for the appropriations because they meet the particular exigency which seems in our State or in our district to be the one most necessary to be met.

OUR WHOLE ECONOMY THREATENED

And here we are, after having demonstrated by what was done during this war that the United States has the genius and the capacity to produce beyond that possessed by any other people or nation in history, and knowing this, we are drifting into a state of chaos.

Every little segment of the economy is clamoring to protect its own small interest, and the whole economy is threatened with destruction. This group or that group asks for special legislation to give it a particular advantage. Because we are dominated by fear, it seems that we do not have the courage or the conscience to trust ourselves or our American system.

THE ERA AFTER THE AMERICAN REVOLUTION

I have stated that the condition in which we find ourselves is very much like that which existed after the American Revolution. Last Sunday night I took down Woodrow Wilson's *History of the American People*. I wish to read a paragraph from page 28 of volume 3. He was describing the situation which existed among the 13 sovereign independent States after they had won their freedom.

There was everywhere a sort of moral exhaustion, a relaxation of the very principles of just and temperate government which the war had been fought to vindicate; a loss of tone, an excess of perilous agitation.

The words apply at this hour. The time has come for men of tolerance and moderation to look at facts as they exist. We are being belabored by extremists upon both sides, who because they fear the loss of what they have and seek to protect it for themselves, are undermining the whole structure of prosperity and harmony and progress among all of the people of the United States.

O Mr. President, if the United States and the people of the United States who produced in such tremendous quantities to win the war cease now to produce to win the peace because of fancied advantage that this group or that group thinks it may obtain, then we perish and the world perishes with us. Millions of people are starving in Europe and Asia, needing the food which we can produce. We suffered more than one million casualties in this war, a war which was fought, like the American Revolution, to vindicate the great principle of the right of the people to govern themselves. When we look abroad we see that although statism in one form was defeated in Germany and Italy, statism itself still exists; and wherever statism exists, wherever totalitarian power exists, the people are compelled to bow the knee to arbitrary authority.

Woodrow Wilson said that the people of the Thirteen Original States had experienced a moral exhaustion. What about us? What about the demobilization of our military forces before the peace has been wrought and before the principles for which this Nation stands have been made secure? We proved them in war, but we must prove them in peace, and if we delay, they may easily be swept away.

It was just 160 years ago, Mr. President, when Captain Shay, a veteran of Bunker Hill, a veteran of Washington's patriotic Continental Army, led a rebellion in Massachusetts. He and his followers had come to entertain the feeling that because Federal authority was lacking, because there was no stability, because there were injustices, the time had come for insurrection. His movement was typical of the ferment and turmoil visible everywhere through the new country.

Wilson's testimony is not the only testimony we have. I recommend to Members of Congress the reading of Madison's preface to his notes on the Constitutional Convention. He, too, described

the situation that existed among the people of the Original States. He said:

The principal difficulties which embarrassed the progress, and retarded the completion, of the plan of Confederation may be traced to:

First, the natural repugnance of the parties to a relinquishment of power.

Is not that a condition which we see on every hand today—the natural reluctance of the parties to a relinquishment of power?

Secondly, a natural jealousy of its abuse in other hands than their own.

A natural jealousy! We see it everywhere displayed, because fear stalks the land—fear that we may lose what we have, and that by some small and narrow and selfish action we may protect ourselves though the rest of the Nation suffers. It is a pitiful delusion, Mr. President.

Thirdly, the rule of suffrage among parties whose inequality in size did not correspond with that of their wealth or of their military or free populations.

Fourthly, the selection and definition of the powers, at once necessary to the Federal head, and safe to the several members.

Are we not now suffering because of this precise condition with respect to the selection and definition of power? Though it does not affect the basic charter of our national being, it does deal with the whole economic order.

But that is not all, Mr. President. On page 120 of volume 5 of Elliott's Debates I find this most significant paragraph from the pen of James Madison, descriptive of the situation which existed before the Constitutional Convention was called:

As a natural consequence of this distracted and disheartening condition of the Union—

Having described it in more detail than I have read—

the Federal authority had ceased to be respected abroad, and dispositions were shown there, particularly in Great Britain, to take advantage of its imbecility, and to speculate on its approaching downfall.

Mr. President, do we not read in the dispatches which come to us from Paris that at this very hour our allies in winning the war are speculating upon our unwillingness to hold to the line which we adopted in defense of human liberty when we entered the war? Do we not know that, instead of a world negotiation for a world at peace, the Allies have fallen into disunity; power politics has raised its head; and eminent writers of every shade of opinion go so far as to say that Great Britain and Russia are at this hour shaping their policies in the conviction that the United States is weakening and as if there were going to be a third war.

At home—

Says Madison, in writing of the Thirteen Original Colonies—

Meaning the Government—

had lost all confidence and credit; the unstable and unjust career of the States had also forfeited the respect and confidence essential to order and good government, involving a general decay of confidence and credit between man and man.

Mr. President, we are on the very brink of that same disorder now. People are fearful of what will happen next, because we have been dealing, not with the fundamentals of reorganization and reconversion, but only with little segments of it, here and there. We have been drifting along, taking only stopgap measures, hoping that something finally will emerge which will settle our difficulties and restore a feeling of confidence and peace and prosperity among the people.

Mr. President, I have a profound faith and confidence in the people of America. I always have had, and it has always been justified. I think all through the history of this Government, demonstration after demonstration has proved that confidence to be well-founded. The people of the United States will respond to what is fair and just if we who occupy positions of public responsibility will confront the facts as they are. What we need to do is to issue the call to the people of America that this is the hour for all of them to stand together to maintain the very basis of free government and a free economy.

THERE IS PLENTY FOR ALL

There can be no doubt, Mr. President, that if complete cooperation were secured, there would be plenty for all. There would be fair profits; there would be reasonable prices; there would be adequate wages. If, instead of trying to cut this pie before it is baked, we call upon the people of America to bake the pie first, then I say to you, Mr. President, there will be pieces aplenty for all who wish to share. Labor will not suffer, management will not suffer, the farmers will not suffer, no branch of our economy will suffer, provided only we give to the common sense of America an opportunity to express itself, and turn aside from the activity of those who stand upon the extremes.

Mr. President, listen again to Madison as he continues to describe the conditions which existed 160 years ago:

It was found, moreover, that those least partial to popular government—

I ask Senators to heed these words of James Madison—

It was found, moreover, that those least partial to popular government, or most distrustful of its efficacy, were yielding to anticipations, that, from an increase of the confusion, a government might result more congenial with their taste or their opinions.

THE PRODUCT OF CONFUSION

Mr. President, do we not know that those who preach the ideology of the communistic state depend upon confusion to produce it? Wherever totalitarianism has appeared, it has come into existence because the people permitted confusion to blind their eyes and close their minds to the essential needs of freedom. We know that the totalitarian believes that a small group can seize power, if only there is confusion enough. That is the way dictatorship arises.

In the days following the Revolution, when the condition which I am describing in the words of Madison existed, the Army offered George Washington arbitrary power. They said, "Give us the word and we will make you king." It is

one of the shining facets of his character that he was able to resist that plea to power. He put the temptation aside, and in due course he presided over the Constitutional Convention, and became the first President of a free Republic, the authority of which flows, in all matters, economic and political, from the people themselves. That is our ideal, Mr. President.

Mr. HAWKES. Mr. President, will the distinguished Senator yield a moment to me? I wish to emphasize a point, if I may.

Let me say that I think the Senator is making a very wonderful speech. I think he is delivering a message to the Senate and to the people of the United States that should be carefully thought over and carefully diagnosed, analyzed, and digested. I wish to emphasize the point the Senator has made about confusion.

The very condition he has described is exactly what I find, not only in the Senate, but throughout the entire United States. I have been talking to people everywhere in our country. Confusion is leading to bewilderment, and the people are distressed and annoyed. Confusion, continued, leads to lack of cooperation, and lack of cooperation, continued, leads to nonproduction of the things the people need, the very necessities of life. And that situation leads to distress and misery, and distress and misery among the people make fertile soil for the planting of false ideologies and false isms.

That is all I wish to say at this point in the Senator's wonderful speech.

Mr. O'MAHONEY. I thank the Senator. I think his remarks are altogether appropriate and consistent with what I have been trying to say.

Mr. President, I interrupted the reading of Madison's description only to make a comment upon the existence of confusion which characterized the period between the victory at Yorktown and the Constitutional Convention. Allow me to read again:

It was found, moreover, that those least partial to popular government, or most distrustful of its efficacy, were yielding to anticipations, that, from an increase of the confusion, a government might result more congenial with their taste or their opinions; whilst those most devoted to the principles and forms of republics were alarmed for the cause of liberty itself, at stake in the American experiment, and anxious for a system that would avoid the inefficiency of a mere confederacy, without passing into the opposite extreme of a consolidated government.

Mr. President, could words more accurately describe the situation as it exists today? The fundamental difficulty existing among us now is the fear of a great segment of the people that there are loose in the Nation those who would take advantage of confusion in order to establish their own type of arbitrary control. On the other hand, there are those who push away every suggestion of constructive reform, because of the fear that it may destroy the very basis of liberty.

AN APPEAL TO THE CONSCIENCE OF THE PEOPLE

That was the situation which existed from 1783 to 1787. Mr. President, if Senators will read the accounts of the

debates held in the Continental Congress of that time, they will see precisely the same conditions as those under which we now labor. The Members of the Continental Congress were spending their time in trying to patch here and patch there, to do this and to do that, to collect a few taxes so as to pay the national expenses, or to pay the veterans, or to take some action to promote trade and commerce. Because there was great pressure of all kinds of conflicting ideas, and because there was violent controversy, the Members of the Continental Congress were unable to undertake constructive action. So finally the initiative was taken by one of the States to call a national conference, to which all the States would send commissioners to consider all factors of the problem, and make a suggestion for a remedy that would have the support of all. It was an appeal to the good sense and the conscience of the people. The Constitutional Convention was a great triumph of the American spirit of freedom. First of all, the Continental Congress reposed its trust and confidence in those men and in their ability and patriotic devotion to the common good, in their willingness to set aside selfish advantages, in their willingness to balance the interests of the States and preserve the national interest, in their willingness to sacrifice power for local, selfish ends, in order that the power of all might be made secure. That was the Constitutional Convention. It appealed to the patriotic instincts of all the people, and it turned aside from the sniping, from the sabotage, and from the irresponsibility that marked that era. It afforded an opportunity for the people of America to express their willingness—nay, their will—to have a government which would preserve the rights of all.

Such, Mr. President, is the situation which confronts us now. That is why, when bills come upon this floor dealing with the controversial issues which are tearing us apart, we divide into contrary camps and debate about details when we ought to be giving our time and attention to the fundamental which is involved. That fundamental is, Mr. President, the development of an economic rule of order that will release the tremendous capacity of America to produce, and by producing teach the totalitarians and the monopolists that there is enough to go around in a really free economy.

O Mr. President, we stand at the very entrance of the land of promise. We need only the courage to enter it. If we do not enter it we will wander in the desert for generations. We know what we have been able to do. It is absurd to contend that the Nation which produced the armament that crushed the Axis—Germany, Italy, and Japan—cannot repeat the performance in a campaign for prosperity and peace.

We will not be able to solve the question now confronting us by a resort to force. If any substantial group of the people of America believe that force is being exercised against them, regardless of whether in fact it is being exercised or not, the result will be the same. I know that whether Americans reside on the farm or on the ranch, whether they

are employed in the shop or in the professional office, whether they are in the ranks of management or in the ranks of labor, their hearts are all essentially sound, and they believe in America. I know that they believe in freedom and justice for all. They do not want to have anyone receive an advantage over another. They would welcome an opportunity to find a solution which would do justice to all. It is for us to give it to them. I believe that we can do so, Mr. President.

What America needs at this moment is an economic constitution just as, 160 years ago, it needed a political Constitution. The present situation has come about through perfectly natural forces which could not be resisted. Because of the progress which has been made by science and invention, our economy has ceased to be an individual structure and has become a structure of great organizations. Persons talk about the expansion of the power of the Federal Government, but it has been taking place for more than 50 years under all sorts of administrations, both conservative and progressive.

The Federal power has increased because conditions made it necessary that it should increase. When the railroads spread across the continent, and were no longer capable of being regulated in the public interest by the States, Congress by law created the Interstate Commerce Commission. Democrats and Republicans alike participated in enacting that law, and from that day down to this, when problems which were no longer capable of being solved locally have arisen, then national solutions were provided. So, a short time ago Congress passed the airport bill. There was no great division over that. It was passed by the Senate and House without any extended debate or division as to its essential provisions, because it was recognized that the Federal Government had to act to preserve the public interest, even though it takes the National Government into thousands of local communities.

We passed a housing bill a few days ago because we needed emergency housing, and though many of us object to Federal spending, though we object to subsidies, we disregarded our feelings and subsidies were written into the law because it happened to be necessary because the Federal Government had to act; and if it had not acted, there would have been chaos.

I could relate the history of the expansion of trade and commerce, and cite instance after instance, in Democratic administration and in Republican administration, when the Federal power to regulate was expanded. Mr. President, I very well remember, for example, the time when President Harding signed the Packers and Stockyards Act and gave the Secretary of Agriculture the power to provide regulations to govern packing houses and stockyards. So it is we are driven by hard facts to an expanded Federal Government, but we have done nothing to preserve local and individual authority. We have not developed the rule of order our organized economy demands.

We talk about government of men and government of law. Emergency after emergency has arisen in this country, and the President, during such emergencies, disregarding Congress, has called individuals together to try to suggest some remedy. When the depression struck during the administration of President Hoover, he called the businessmen to the White House to work out a remedy by personal action. He had to step outside the customary machinery of government. All through the Roosevelt administration the same thing happened, and it is happening now. President Truman called a labor and management conference in the hope that somehow or other it might, by personal action provide a remedy.

THE PUBLIC INTEREST COMES FIRST

Mr. President, I venture to say that no rule of order can be provided in any partial conference, and by that I mean any conference which represents only a part of the people. It is the public interest which must be safeguarded in the present crisis and we must find a way to protect it; we must find a way to appeal to the conscience of the people of America.

THE ECONOMIC COUNCIL AVAILABLE

I think it can be done, Mr. President; I think the means are at hand. On February 20, 1946, the President gave his approval to an act to declare a national policy on employment, production, and purchasing power, and for other purposes. Congress saw the necessity for action, and it created the machinery by which action could be obtained. There was a great debate about that measure. It was called the full employment bill. It is now called the maximum employment law.

There was a perfect example of how the fear, of which I have spoken, confuses issues. Many who criticized the bill were fearful that it meant a move to the left, to open the door to communism. Many who were for the bill felt that those who were resisting it were resisting it because they did not want to see full employment brought about.

Neither of those suspicions was correct. The Congress and the people of the United States wanted only to provide an opportunity for reconversion which would make it possible for us to do in peace what we had demonstrated we could do in war. The bill was finally enacted. It has given us the machinery we need, but we are not taking advantage of it.

Let me deal first with the laxity of Congress, because unless we expose our own failure, we cannot venture to point a finger at the failure of anybody else. Section 5 provides:

There is hereby established a Joint Committee on the Economic Report, to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall, as nearly as may be feasible, reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

Then in the next paragraph of this section, describing the function of the joint committee, I find this:

It shall be the function of the joint committee . . . from time to time to make such . . . reports and recommendations to the Senate and House of Representatives as it deems advisable.

Mr. President, that is the committee which should be appointed and put to work. The Joint Committee on the Economic State of the Nation should be appointed, and should be appointed without delay to tackle the problems which are arousing both fear and anger. Charged with a grave national duty I am certain it could inspire confidence.

But equally important, Mr. President, indeed more important, is section 4 which creates the Council of Economic Advisers. I read section 4 (a):

There is hereby created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national economic policy to promote employment, production, and purchasing power under free competitive enterprise.

There is the mandate, Mr. President. There is the instrumentality by which we can get to the fundamentals of the issues which are tearing us apart and rendering impossible the production which alone will save us.

What were the purposes declared in section 2? I read that section:

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

Does anyone doubt, Mr. President, that if the policy of that act were carried out our troubles would begin to fade? All that is needful, as I said at the beginning, to make an appeal to the conscience of the people of America now to go to work while the agency created by the Congress also goes to work to prepare recommendations to provide employment, to increase production, to raise purchasing power. Is not that the objective of us all? Is not that the objective of labor? Is it not the objective of management? Have we faith in ourselves? Have we faith in our own Government? Have we faith in our own instruments, our own system? If we do, then certainly we believe that we ought to give that system a chance to work.

Let the council be appointed, Mr. President. Let the joint committee be appointed. And while they are at work, just as when the members of the Constitutional Convention were at work, let the rest of the economy go to work also. Let us put aside our fears and resort to constructive cooperation. Let us concentrate upon production. And if we do that, trusting to this organization, authorized to be set up by Congress, to work out a rule of order for the distribution of the fruits of production, we shall have prosperity, we shall have good wages, we shall have good working conditions, we shall be able to build anew.

If we do not do that, Mr. President, if we now surrender to our fears, we risk the loss of all the fruits of our victory in this war; we risk the loss of the objectives for which 300,000 Americans laid down their lives, and for which a million others will bear to their graves the wounds of conflict. Nay, more, Mr. President, we shall lose not only the fruits of this victory, but we shall lose the fruits of the victory of the American Revolution, because free government is at stake. We know perfectly well that among the people of the world only the United States and the people of the United States seem to remain firm in their belief in a free government and a free economy. The task is for us to follow the example of the great men who created the Constitutional Convention and made possible the drafting of that charter of free government. If we only have faith in our system and in ourselves we can achieve prosperity for all, and we can set an example to the world demonstrating that freedom is the better policy.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1415) to increase the rates of compensation of officers and employees of the Federal Government.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. OVERTON. Mr. President, in speaking upon the subject matter of the pending bill I wish to address myself first to the amendment proposed by the honorable Senator from Virginia [Mr. BYRD]. Permit me to say at the outset that it is incomprehensible to me that this amendment should have received the very vigorous and vociferous opposition it has met upon the floor of the Senate. There is nothing within the amendment, when properly analyzed, that can be criticized as being harmful either to management or to organized labor or to labor generally. It is an amendment which, in my opinion, meets not only an existing emergency and an existing crisis, but it is an amendment which ought to be embodied permanently in any law dealing with labor problems.

On page 2, line 12, of the amendment, there is contained a provision which I shall read:

(c) The provisions of this section shall not be applicable with respect to . . . any money or other thing of value paid to an organization or fund for furnishing health, welfare, or other benefits to employees and their families and dependents, if both employees and employers are represented in the administration of such organization or fund, with employees having the majority representation if they contribute more than half to the support of such organization or fund and with employers having the majority representation if they contribute more than half to the support of such organization or fund.

There is nothing, therefore, in the amendment that inhibits the establishment of health and hygienic programs, welfare programs, recreational programs, or other programs beneficial to labor. Organized labor can at any time, insofar as this amendment is concerned, adopt such a program, financing it themselves without let or hindrance by the employer or by the Federal Government. The only restriction, the only limitation placed upon such a program is that when a donor makes a contribution to the program the donor shall have a voice in the administration of the program. Is that unjust? Is that unreasonable? Is not that in line with common practice in respect to most charitable donations and bequests? Wherever a donor, a contributor, has an interest in the program, as the operators of mines and the operators of industry and the management of business generally would have, why should he not be given by legislative act a right of representation in the development of that program? It cannot be said that the management, after making the donation, would undertake to abuse such power as the amendment would provide for, because the management has as much interest as labor itself in the health and the happiness, in the pleasure and the recreation of its employees, and in a wise and practical administration of the investment. Management and employees are engaged in a common venture, and what helps labor in the performance of its duty toward production is beneficial to management. What reason would there be for the employer to undertake to run roughshod over any beneficial plan which labor itself might suggest in the development of such a program when it itself is contributing the funds for the financing of it?

Mr. President, to my mind the Byrd amendment, considered in its entirety, finds support on a bigger and broader basis than the one to which I have referred. We are dealing here in the main with collective bargaining. Collective bargaining is certainly not objectionable to the large majority of Members of the Senate. Collective bargaining is not objectionable to the majority of the Congress or the majority of the American people. Collective bargaining is considered by labor as one of the greatest rights vouchsafed to it by the Congress of the United States. We are dealing here with the representatives of organized labor, mainly in connection with collective bargaining. The representatives of organized labor occupy such a

fiduciary relation that they should be above any temptation. It is conceivable that management, desiring to obtain an undue advantage over organized labor, might use a contribution to the representative of organized labor for the purpose of corruption, for the purpose of having the representatives of organized labor ignore the best program for labor and subscribe to what management itself dictates.

The representatives of organized labor should be, like Caesar's wife, above suspicion. When I make that statement I am not making any criticism of John L. Lewis in his effort at collective bargaining at the present time, and in his demand that before the compensation of labor, the housing facilities offered labor, or any increase in safety appliances for the benefit of labor should be considered, at the very outset there should be a contribution, amounting to millions of dollars, to be paid to John L. Lewis himself.

I cannot for the moment say, because I have no proof of it, that Mr. Lewis is being actuated by any ulterior motive or by any hope of personal aggrandizement; but I can say that he is not placed above suspicion, because a number of letters which have come to my office indicate in the minds of some a belief that it is Mr. Lewis' purpose to use this fund not entirely for the benefit of the employees he represents, for their welfare, their recreation, their hospitalization, or their general care, but to use it for his own aggrandizement. Some believe that his motive is pecuniary; others think it is political.

Of course we know, Mr. President, of the huge fund which has been raised by the PAC and the CIO, a fund which is used, and will probably continue to be used, for political purposes. We know that the CIO has gone so far as to undertake to declare that it is its purpose to unseat certain Senators and certain Representatives; and, either openly or by implication, they propose to devote huge sums of money in order to achieve that purpose.

I should like to see a representative of organized labor in collective bargaining freed from such an imputation. It may be that John L. Lewis will use every dollar he can extort from the management of the mines exclusively for the benefit of labor. It may be that he will not use any of it for political purposes; and I am willing to hazard the guess that he will not, in any event, use it for his personal aggrandizement. But John L. Lewis is only one of hundreds of representatives of organized labor engaged in collective bargaining to arrive at agreements between labor and management in the operations of business and industry. While Mr. Lewis may, in the strength of his character and in the sternness of his purpose, hold himself free from temptation if such an opportunity should present itself, I seriously doubt that all representatives of organized labor would be quite that loyal to those whom they represent.

There is no necessity on my part—because the facts are too well known—to call attention to the existence of racketeers in the ranks of organized labor.

There are men who have taken advantage of the positions which they occupy in relation to labor to fill their own pockets. What objection, then, can there be to the Congress of the United States, which has granted to organized labor the right of collective bargaining, saying, "We propose to safeguard that right against its abuse by the representatives of labor"? Is there anything unduly restrictive about this amendment? Is it unjust to say that he who makes the contribution shall have a voice in the exercise of a benefit which exists by reason of that contribution?

Mr. President, I cannot see why there is any objection to this particular amendment. While we may have to move with due conservatism and foresight, careful deliberation and consideration of the great issue underlying management-labor legislation, yet I think it is time for the Congress of the United States to act. I believe in organized labor. I believe in the right of labor to organize, and I believe in its right collectively to bargain. But I do not believe in dictators of labor over either management or other industries, or over the American people.

It is not necessary for me to undertake to show the great damage which has already been done by reason of the dictatorship of one man over the labor of one industry in this country. This example may be multiplied by scores yet to come, until in truth and in fact there may be a paralysis of all industry in this country.

Mr. President, as I have said, I am not opposed to organized labor in its exercise of certain legitimate rights. But insofar as labor is concerned, I do not stand here to advocate solely the rights of organized labor. I believe in protecting, insofar as we can legislatively do so, the rights of all labor, whether organized or not organized. While I believe in organized labor, there are practices of organized labor to which I cannot subscribe. Far more transcendental, far more important than the rights of organized labor, is the right of the American citizen who is able and willing to work to have an opportunity to work, and not be denied that opportunity by his fellow laborers because they are organized and he is not organized, or because they pay tribute to a union—pay initiation fees and dues—and he is unwilling to buy his right to work for his bread and his meat in this, the greatest Republic in the history of the world.

When we come to think about it, the most fundamental right which we ought to be able to protect is the right of any American citizen—I care not whether he belongs to a union or does not belong to a union, whether he belongs to this church or does not belong to that church, whether he belongs to this fraternal organization or does not belong to that fraternal organization, whether he belongs to this political party or belongs to some other political party—to have the right, when an employer wants to employ him, to take that employment without having to purchase the right to work from any private organization or from any public organization or from any source whatever. When we depart from that right, I think we are getting into

trouble, and I think the history of the last few months shows it and the history of the last few years shows it.

A strike could be broken up, in many instances, if those who were willing to work in place of those who were unwilling to work, could be offered and could accept employment. Why should they not, and why is it not in the interest of the Government to enable them to do it, and why is it not in the interest of the great consuming public of the United States that productive labor should go on?

We started on this reconstruction period, this reconversion period, full of high hopes and full of glamor. The troops had come back, after winning the hardest-fought war and the greatest war in all the history of the world. We expected to go ahead and win the peace. We expected to produce and produce, until production, which enforced idleness had greatly lessened by reason of the demands of war, with a resultant increase in consumer demand, had reached its prewar extent. But we had not advanced far, we had hardly taken a step beyond the threshold of war, when we were met with hostility at home. Here is a Nation hungering for more food. Here is a Nation wanting more clothes. Here are people wanting hundreds of household things for their homes. Across the seas, people are starving for lack of food and are dying of chill for want of raiment; and production is halted in a land where there are hundreds and thousands and millions of able-bodied men who are willing and able to take the places of those who do not want to work and who are unwilling to work. But they cannot do so. They cannot do so, under and by virtue of the protection which the bounty of the United States Government has thrown around those who wish to stand in the picket line and say, "Don't cross it. If you dare cross it, if you dare cross it to engage in production for the people of America and to help the starving people of the world, we propose to manhandle you and keep you out."

Mr. President, is that Americanism? It is true Americanism? It is not the Americanism for which I shall stand. It is a wonder to me and it is a wonder to millions of the American people that the Congress of the United States has permitted this thing to go on, without taking prompt action. It has been said by many—and every Senator within the sound of my voice knows that it has been said—that Congress, if left alone with its own conception of what is right and proper, would not hesitate to enact legislation which would cure the evils under which we are now suffering. But it is said—not merely by letters, but publicly said, said over the radio and in editorials and in magazine articles—that there are a large number of Members of the House of Representatives and a large number of Senators—enough, at least, to have the balance of power—who stand in the way of such legislation because they stand in fear of the retribution and the vengeance which would be visited upon them by organized labor. I am passing no judgment on that situation, Mr. President. For the moment I am not undertaking to criticize Congress, either as a body, or

any Member of it individually. I merely am pointing out that which we all know. The criticism is there.

It is true, Mr. President, that organized labor is a potent force politically in this country. It is a potent force because it is organized and for the most part it votes as a unit. For the most part its members march to the music and follow the flag of the union and go to the ballot box and cast their ballots, as a rule, as the dictators of the organization prescribe that they shall. It is true that in many a congressional district and in many a State the votes of organized labor hold the balance of power. What happens? Oh, the public may be wrong and the public may be right; I am not here to pass judgment upon that. But they say that their representatives in the House of Representatives and their representatives in the Senate dare not align themselves against the wishes—yea, against the dictates—of organized labor, for fear that they will lose their offices at the next election.

There are those who write and tell me that there are Senators and Representatives who have said: "I do not propose to commit political suicide. I can go along with labor 99 times out of 100, but if I do not go along with labor the one-hundredth time it will wreak its vengeance upon me, and my political career will come to an untimely end."

Mr. President, I think that is probably true. I believe that a Senator or a Representative can go along with organized labor day after day, week after week, and year after year, and then, if he dares to stand up once and vote his convictions contrary to the demands of organized labor, and thereby incurs its wrath, he will be blacklisted as a future candidate for election to the United States Congress.

So, Mr. President, it is true that organized labor exercises an unduly potent influence in our legislative councils. I am sure that those of us who have served for years in the Senate recall that when we first came here, we received courteous letters from the representatives of unions, requesting that we earnestly consider such and such a measure, either with the view of opposing it or with the view of supporting it, and stating further that they would very much appreciate our compliance with their suggestions. But today we receive telegrams demanding that we fight for such and such a bill, and demanding that we support it. Those demands are frequently accompanied by the threat, in effect, "If you do not do this we shall defeat you at the polls."

Mr. President, I am not throwing any bouquets at myself for my method of handling such demands. I have received many of them. As a rule, I throw them into the wastebasket. I have been told that if I did not fight such and such a measure, organized labor would fight me. Nevertheless, I fought for the measure. I have also received messages to the effect that if I did not fight for such and such a bill I would be fought by organized labor. I fought against the bill.

I do not think it makes very much difference when we once get the issue

clearly before the people. I believe that the majority of the people of this country are patriotic. I believe they are willing to support conscientious representatives of the people who undertake to do their duty as God gives them the light and wisdom to see that duty.

Mr. President, I recall that several years ago I let a contract for the construction of a business building. The contractor was a nonunion contractor, and he employed nonunion labor. My building was picketed by organized labor. They marched up and down, up and down. I paid no attention to them. The work progressed. However, some of my friends put out counter pickets, and they had a number of persons marching up and down. The pickets of organized labor carried banners stating "The Senator is unfair to organized labor." The counter pickets carried banners reading "The Senator is fair to all labor." Of course, I had tried to be fair to all labor. I believe that unorganized labor is receiving a rather poor and shabby deal.

Mr. President, if I may be pardoned for making another personal reference I should like to say that only the other day I wanted to have another building painted. I personally and deliberately employed a nonunion contractor, who in turn employed nonunion labor, to do the work. I did so because those men were nonunion members and could not obtain employment. However, they were American citizens and were friends of mine. Perhaps more of them voted for me than did those who belonged to unions. But whether they did or did not made no difference to me. They were American citizens who were entitled to recognition, as such, and were entitled to an opportunity to work. I felt no hesitancy in giving them that opportunity.

Mr. President, we are going rapidly from bad to worse. We talk about fighting dictatorship, but we now have a dictatorship over the economic growth and development of our country, exercised through the heads of great institutions of organized labor. Today the miners—how many are there?

Mr. BARKLEY. There are approximately 500,000 bituminous-coal miners.

Mr. OVERTON. Very well. Approximately 500,000 American citizens are at the beck and call of one man. Today they drop their picks and shovels at his beck and call, and pick them up at his beck and call. Tomorrow they will do the same. The coal-mining industry is standing paralyzed, and countless other industries are being subjected to the virus of a creeping paralysis. Dictatorship is on the march, and we stand here doing nothing. I am no prophet, but I make the prediction that, as much as I regret it, if this Congress adjourns by the middle of July, no legislation worth while will have been enacted to prevent a continuance of the present strangulation of American industry and American business at a time when we are trying to reconvert a great people, a great republic, a great commonwealth, to a new life, new aspirations, and new hopes.

Mr. President, I wish to speak plainly. I am sick and tired of this situation. I

should like to see the leadership of the Senate and the leadership of the other House take a forward and progressive stand in this matter. I know that my feeble voice will reach scarcely anywhere, but there is one vote, namely, my own, which will be cast to eradicate any malpractices on the part of organized labor.

Mr. President, behold organized labor publicly and brazenly declaring that it will purge the House of Representatives and the Senate of Members obnoxious to them and will substitute them with men who will do their abject bidding and be their abject slaves in the halls of the greatest legislative body in the world and in all human history.

There is one answer, and only one answer, and I hope it will be a practical one. The great majority of the people are interested on the other side. The great majority of the American people are the consuming public. It is the consuming public who are the greatest sufferers. The losses they suffer are not compensated for. Labor may be compensated by higher wages, and by this and by that, management by higher prices, but what the consuming public loses is gone forever; and they are in the overwhelming majority. Why, then, do they submit? They have the answer in their own hands.

I had the pleasure only day before yesterday to write to a prominent citizen of Louisiana who was severely criticizing Congress, including me, for our inaction in this great crisis. I said to him, in effect, "The fault lies not so much with us as with you, my dear sir and friend; with you and the countless other millions of American citizens. You have the remedy. Why do not you and other prominent citizens get together and organize a consumers' union, a consumers' league, a consumers' organization? You suffer at the hands of organized labor, because organized labor votes, and you often do not. Organized labor votes as a unit, and you do not. Organized labor holds the balance of power in many a congressional district, and in many a State, and sends its own Representatives to the Halls of Congress; you do not. The way to fight organized labor is to employ against it the very tactics organized labor uses, that is, to organize and to organize politically."

If that were done and such a program were carried out in a Nation-wide movement, it would gather momentum, and not only would the complexion of the present Congress be changed to advantage, but the very hue and color of the views of some of the present Members would undergo a change. I am quite sure, because, after all, votes are influential, votes are controlling, votes are dominating, and we have to pay heed to the sources from which the votes come.

I do hope, Mr. President, that somewhere in this broad land there will be someone of sufficient know-how, of sufficient courage, of sufficient ability, of sufficient dynamic force, to start a movement which will organize the consumers of this great country into a union in order that they may stand up for consumers' rights in this Nation. Let labor have its just rights, let organized labor have

its just rights, and let the consumers have theirs.

Mr. President, I go now to another theme, which I have already touched on before in the Senate. It would be my own solution for the present debacle in which we are. It was spoken of here this morning, or yesterday, by some speaker.

I suggested months ago on the floor of the Senate that in all major disputes between management and labor the disputes should be carried ultimately before a tribunal whose decision would be final and binding. If two American citizens have an unsettled dispute, they go into court, and the decisions of the courts are binding. They are enforced under the law of our land. As a nation we are submitting our international controversies before an international tribunal. Are organized labor and management so damnably powerful in this country that they rise superior to all the American people, superior to the Nation itself? It would seem so. I think it was the American Bar Association which a few days ago went on record, at least one of its great speakers did, advocating that the tribunal to settle these disputes be our constituted courts of justice. There is no objection to that. Let these controversies be settled in a lawful and in an orderly way, not by ruthless violence, not by political domination or attempted political domination of the Congress of the United States.

If we would pass an act making provision for that, placing the ultimate decision of these controversies in some great tribunal which would have the confidence of the American people, we would not only have gone a long way, but I think we would have succeeded in solving the problem now facing us.

EDUCATIONAL FACILITIES FOR VETERANS

Mr. MEAD obtained the floor.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. MEAD. I shall take only about 10 minutes, in placing some excerpts in the RECORD, if it will not discommode my colleague from West Virginia to wait. I shall be glad to yield to him at any time if he sees the hour is drawing near for his departmental appointment.

Mr. KILGORE. Very well.

Mr. MEAD. Mr. President, yesterday before a subcommittee of the Committee on Education and Labor a hearing was held on two bills which I introduced some time ago. They were Senate bill 2085 and Senate bill 1770, and amendments to S. 1770, having as their objective providing our colleges and universities with educational facilities to carry out the GI educational program.

At the hearing yesterday representatives of American colleges and universities appeared and made some very effective and far-reaching statements, some of which I believe are worthy of insertion in the RECORD, for I am sure they will be of great benefit to my colleagues.

I have here a statement of Mr. Ralph McDonald, Executive Secretary, Department of Higher Education, the National Education Association of the United States. Mr. McDonald said:

On behalf of the organized educators of

America I want to give the strongest possible endorsement to the bills now under consideration by your committee, S. 1770 and S. 2085. We sincerely hope that these measures, with minor amendments, may be passed by Congress before the summer recess.

A very interesting statement was also made by Mr. McDonald when he said:

In order to present the picture of the need as precisely and as clearly as possible I desire to lay before your committee a factual summary of the urgent needs of 117 representative institutions throughout the country. The type and the control of the 117 colleges and universities included in this summary are as follows:

The type and control of the 117 colleges and universities included in this summary are shown below.

Publicly controlled institutions:	
State colleges and universities.....	21
State teachers colleges.....	11
City university.....	1
State colleges for Negroes.....	2
State technical and professional schools.....	4
State junior colleges.....	3
Local (city, county, or district) public junior colleges.....	9
Total.....	51
Privately controlled institutions:	
Coeducational colleges and universities.....	30
Colleges and universities for men.....	10
Colleges for women.....	7
Teachers colleges.....	3
Junior colleges.....	11
Colleges for Negroes.....	3
Technical and professional schools.....	2
Total.....	66

Since the colleges and universities covered in this summary are of all types and kinds, the conditions represented by them may be considered typical of the colleges and universities of the Nation.

On the average each of these institutions will have to refuse admission to 316 veterans and 193 nonveteran students next fall unless they can have help in expanding their facilities. The 117 institutions now anticipate that they will have to turn down a total number of 59,533, of whom 36,972 will be veterans. A Nation-wide estimate derived from the reports of these 117 institutions would be that after all available facilities are filled, there will still be possibly half a million or more applicants who can find admission nowhere.

The factors which make it necessary for these colleges to turn down veterans and other applicants are reported by college officials in the 117 institutions.

1. Lack of housing for married veterans with families is a major factor at 55 institutions, or 47 percent of the total number; an important factor at 7 others; a minor factor at 15 others; no factor at 40 institutions, chiefly women's colleges and colleges accepting only day students.

2. Lack of housing for unmarried students is a major factor at 64 colleges and universities, or 55 percent of the total number; an important factor at 9 others; no factor at 27 institutions, chiefly colleges admitting only day students.

3. Lack of housing for faculty members is a major factor at 44 institutions, or 38 percent of the total number; an important factor at 11 others; a minor factor at 25 others; no factor at 37 institutions, chiefly very small colleges.

4. Lack of educational buildings other than housing is a major factor at 69 institutions, or 59 percent of the total number; an important factor at 15 others; a minor factor at 10 others; no factor at 23 institutions.

I come now to item No. 5, shortage of faculty personnel. This is, I think, very

important, because we have all felt that one of the great shortages would be in faculty personnel.

5. Shortage of faculty personnel is a major factor at 16 institutions, or 14 percent of the total number; an important factor at 13 others; a minor factor at 39 others; no factor at 49 institutions, chiefly small colleges.

Which leads us to believe that housing and school facilities are the most important of all the items necessary for the proper carrying out of the GI educational program.

The needs of the 117 institutions are summarized as follows: 86 have urgent need for dormitories; 85 are in immediate need for classroom space; 81 need housing for faculty members; 79 must have increased laboratory space and equipment; 75 are in need of additional housing units for married students and their families; 72 have immediate need for student union buildings, YMCA halls, or similar centers; 65 are in urgent need of library buildings, and so forth; 36 need additional administrative buildings; 9 must have dining rooms; 7 are in crucial need of infirmary or hospital buildings; 7 need physical education buildings; 6 need assembly halls or chapel buildings; 2 need fine arts buildings, and so forth.

Four colleges of the 117 find that they can classify their building needs as temporary. Forty-two institutions analyze their needs as partly temporary, partly permanent. Sixty-four colleges and universities indicate that their needs are for permanent buildings only, and that temporary buildings would do them no good.

Mr. President, this is such an important document, coming as it does from a reliable source and explaining in detail the needs of the colleges and the institutions reporting, that I ask that it may be made a part of the record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RALPH McDONALD, EXECUTIVE SECRETARY, DEPARTMENT OF HIGHER EDUCATION, THE NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES, BEFORE THE SENATE COMMITTEE ON EDUCATION AND LABOR HEARINGS ON S. 1770 AND S. 2085, MAY 16, 1946

(The National Education Association is the professional organization of individuals engaged in education in the United States. It is the official national body of the State and local education associations in all of the States and Territories, having a dues-paying membership of 733,409, or more than 70 percent of all the educators of America. In addition to these members represented through State and local affiliated associations, the NEA has 331,605 members paying dues direct. NEA membership extends into every State and city and into practically every school, college, and university in the United States. The department of higher education is composed of NEA members engaged in college and university education.)

Mr. Chairman and members of the committee, as you know, we are in continuous touch with college presidents, deans, and professors in every higher education institution in the United States.

On behalf of the organized educators of America I want to give the strongest possible endorsement to the bills now under consideration by your committee, S. 1770 and S. 2085, introduced on April 19, 1946, by Senator

MEAD. We sincerely hope that these measures, with minor amendments, may be passed by Congress before the summer recess.

The committee on veterans' affairs of the department of higher education consists of the following: S. E. Crowe, dean of students, Michigan State College, chairman; C. E. Avery, director, bureau of veterans' affairs, University of Minnesota, vice chairman; E. V. Hollis, principal specialist in higher education, United States Office of Education, consultant; V. W. Adams, assistant director extension division, University of Pittsburgh; K. O. Broady, director, university extension division, University of Nebraska; E. R. Elbel, director, veterans' service, University of Kansas; W. R. Goetsch, liberal arts advisory office, University of Iowa; R. R. Hamilton, dean, College of Law, University of Wyoming; J. O. Keller, assistant to the president, Pennsylvania State College; John Lane, director of veterans' affairs, University of Notre Dame; Kenneth Little, director, student personnel services, University of Wisconsin; J. St. Clair Price, dean, College of Liberal Arts, Howard University; F. C. Smith, dean, University of Tennessee; Arthur F. Southwick, registrar and director of guidance, College of Wooster; W. C. Toepelman, director of veterans' affairs, University of Colorado; G. E. Vander Beke, coordinator, veterans' affairs, Marquette University.

Problems related to the education of veterans in colleges and universities were the subject of a National Conference held in Chicago on April 11, 12, and 13, 1946, by the Department of Higher Education. The very problems which are now being considered by your Committee were studied intensively during a three-day period by the most representative group of college and university faculty leaders which has been brought together in recent years. Representing every branch of higher education faculties and every type of institution from 44 States and the District of Columbia, the participants in the Conference were highly selected in their various regions and institutions on the basis of their expert knowledge and of their responsibilities in relation to providing for veterans. A list of Conference participants is attached to my statement for the information of the Committee.

These qualified men and women found one problem arising above all others—the need for buildings and facilities to take care of veterans.

From every institution came reports that veterans are proving to be excellent students, and that practically all of the 417,324 now in college are making splendid records. The question before the colleges is: how can we provide for the tremendous number of veterans and other students who are seeking admission?

By March 31, 1946, the Veterans' Administration had received 1,988,169 applications from veterans for educational benefits, and it appears that possibly half of these veterans want to go to college. It is now a conservative estimate that one million veterans will by fall be either in college or actively seeking admission to colleges. A survey made in March 1946 by the Veterans' Administration reveals that there will be available this fall in the 1,686 colleges and universities of the Nation only 243,472 vacancies for all types of students—veterans, high school graduates, and all others. Thus it is certain that with only present facilities available literally hundreds of thousands of veterans will be turned away, not to mention the countless other students who will fail to secure admission.

Practically all the colleges and universities are straining every resource to provide for veterans, but most of the hard-pressed institutions are nearing their wits' end.

It is the unanimous opinion among higher education authorities who have studied the

problem that enrollment demand will be still greater in 1947 and will continue to rise until at least 1950 before leveling off, with a huge enrollment of veterans continuing through 1955. Normal nonveteran enrollment increases will require further expansion of facilities even after the period of GI education is past.

Measures now developing are intended to provide some additional housing, but plant and equipment facilities are far short of the minimum needed. Without adequate classroom, laboratory, library, and other facilities for the total educational program, it will be impossible to provide courses of accredited standards for these veterans.

Faced with these facts, the National Conference after most careful consideration adopted a resolution and began an earnest movement to bring before Congress the need for immediate aid in providing facilities for veterans. Our committees have been in touch with every college and university in the Nation with respect to these matters, and the support of the Mead bills is the most unified and positive stand I have ever known the higher education people of the Nation to take.

Swarthmore College, for example, will have no need for the aid specified in these bills, but President John W. Nason and faculty members at Swarthmore join all the rest of us in the earnest hope that these bills may be passed. "Many (institutions) simply cannot expand their facilities * * * without Government help," writes President Nason. Mrs. Mildred McAfee Horton, president of Wellesley, likewise desires no aid whatever for her institution, but urges passage of these bills as a real need both for veterans to be served in other institutions and as a means of relieving the terrific enrollment pressure on the women's colleges.

On the other hand, many institutions—and this number is literally hundreds—simply cannot meet their needs without Government aid. Most of them have exhausted every resource, and I know of several which are faced with the necessity of dipping into endowment funds—one institution of which I know is by dire necessity on the verge of taking \$500,000 of endowment funds for building purposes.

In order to present the picture of the need as precisely and clearly as possible, I desire to lay before your committee a factual summary of the urgent needs of 117 representative institutions throughout the country as they try to plan for veterans. These data are based upon official reports received this week from the respective institutions.

The type and control of the 117 colleges and universities included in this summary are shown below:

Publicly controlled institutions:	
State colleges and universities.....	21
State teachers colleges.....	11
City university.....	1
State colleges for Negroes.....	2
State technical and professional schools.....	4
State junior colleges.....	3
Local (city, county, or district) public junior colleges.....	9
Total.....	51
Privately controlled institutions:	
Coeducational colleges and universities.....	30
Colleges and universities for men.....	10
Colleges for women.....	7
Teachers colleges.....	3
Junior colleges.....	11
Colleges for Negroes.....	3
Technical and professional schools.....	2
Total.....	66

Since the colleges and universities covered in this summary are of all types and kinds, the conditions represented by them may be

considered typical of the colleges and universities of the Nation.

On the average each of these institutions will have to refuse admission to 316 veterans and 193 nonveteran students next fall unless they can have help in expanding their facilities. The 117 institutions now anticipate that they will have to turn down a total number of 59,533, of whom 36,972 will be veterans. A Nation-wide estimate derived from the reports of these 117 institutions would be that after all available facilities are filled, there will still be possibly half a million or more applicants who can find admission nowhere.

The factors which make it necessary for these colleges to turn down veterans and other applicants are reported by college officials in the 117 institutions.

1. Lack of housing for married veterans with families is a major factor at 55 institutions, or 47 percent of the total number; an important factor at 7 others; a minor factor at 15 others; no factor at 40 institutions, chiefly women's colleges and colleges accepting only day students.

2. Lack of housing for unmarried students is a major factor at 64 colleges and universities, or 55 percent of the total number; an important factor at 9 others; a minor factor at 17 others; no factor at 27 institutions, chiefly colleges admitting only day students.

3. Lack of housing for faculty members is a major factor at 44 institutions, or 38 percent of the total number; an important factor at 11 others; a minor factor at 25 others; no factor at 37 institutions, chiefly very small colleges.

4. Lack of educational buildings other than housing is a major factor at 69 institutions, or 59 percent of the total number; an important factor at 15 others; a minor factor at 10 others; no factor at 23 institutions.

5. Shortage of faculty personnel is a major factor at 16 institutions, or 14 percent of the total number; an important factor at 13 others; a minor factor at 39 others; no factor at 49 institutions, chiefly small colleges.

In connection with the reporting of a shortage of personnel, several institutions indicated that the shortage of faculty members could be solved by the providing of faculty housing.

We have an analysis of the actual items of building and equipment which would enable these 117 institutions to provide for a large number of those who will otherwise fail to secure admission.

The needs of the 117 institutions are summarized as follows, in the order of their frequency:

1. Eighty-six have urgent need for dormitories for a total of 16,033 unmarried students.

2. Eighty-five are in immediate need for classroom space, the minimum requirement being a total of 1,054 additional classrooms.

3. Eighty-one need housing for faculty members, the critical shortage amounting to 1,204 family units.

4. Seventy-nine must have increased laboratory space and equipment, the exact need varying in institutions according to their programs of scientific instruction and their present facilities.

5. Seventy-five are in need of additional housing units for married students and their families, the total acute need at these institutions being 4,738 family units.

6. Seventy-two have immediate need for student union buildings, YMCA halls, or similar centers of student social, religious, and recreational life.

7. Sixty-five are in urgent need of library buildings, or additions and alterations to present libraries to accommodate more students.

8. Thirty-six need additional administrative buildings to enable them to take care of the increased enrollment.

9. Nine must have dining rooms.

10. Seven are in crucial need of infirmary or hospital buildings.

11. Seven need physical education buildings.

12. Six need assembly hall or chapel buildings.

13. Two need fine arts buildings.

14. Two need greenhouses in connection with their research and experimentation.

15. Each of the following is reported as an urgent need by at least one institution: Music building; bookstore; laundry; heating plant; disposal plant, chemistry building; architecture building; textile building; medical school building.

We asked the authorities in each of these institutions to make a careful analysis of each item in their building needs to determine as accurately as possible whether the need is temporary or permanent.

Four colleges of the 117 find that they can classify their building needs as temporary.

Forty-two institutions analyze their needs as partly temporary, partly permanent. In these institutions as a whole the building needs listed are apparently about 90 percent of the permanent sort. Only housing for married veterans is listed as a temporary need in most instances.

Sixty-four colleges and universities indicate that their needs are for permanent buildings only and that temporary buildings would do them no good.

A fundamental question facing your committee in connection with the pending bills is that of the ability of the institution to finance their own building programs to meet the critical need. We have information from the institutions themselves on this point.

One institution is able to finance its entire program of necessary building alone, and is doing so.

Three institutions can finance nearly all of their urgent needs, but not quite all of them.

Nineteen are able to provide up to 50 percent of the cost of their building programs.

Sixty-six others are in position to provide a substantial portion of the cost, but not as much as 50 percent of the amount necessary right now to cover their critical needs.

Eighteen have no funds whatever available with which to provide for buildings which they need badly.

Ten have no acute building needs at present.

We asked the authorities of the colleges included in the survey to consider the extent to which their needs might be met by the provisions of S. 2085. To make such an estimate was very difficult, because several colleges could easily have their eyes on the same surplus Government building, whereas only one could possibly have it. Also, in many instances the college authorities are so far away from the buildings which might be made available that they can only assume that a building of the type they need might be available.

Nevertheless, the studied opinions of the college authorities themselves on this point may be of some value to the committee.

Four institutions, in the opinion of their authorities, could have their building needs fully met by the transfer of such Government-owned buildings.

Sixty-four institutions might be able to obtain some measure of assistance from this source. In these 64 institutions the officials consider the extent of such assistance to be quite limited in its possibilities, but are anxious that the full measure of relief from that direction be authorized. They feel that the proposal is sound and constructive.

Sixteen institutions would be able to derive little assistance, if any at all, through the provisions of S. 2085, in the opinion of their officials.

Eleven colleges have needs which their authorities consider it wholly impossible to

meet, even in part, by the transporting and remodeling of surplus Government buildings.

On the efficacy of the provision of S. 1770, however, there is no question whatever.

Eighty-three institutions would receive just the kind of assistance under S. 1770 which they need to move forward with all their urgent building needs.

Twenty-five additional institutions would be able to proceed with an important part of their critical building programs if they had the benefits of S. 1770 available to them.

The real question before your committee is this: If S. 1770 and S. 2085 are enacted into law, will college opportunities be available to a greater number of veterans than would otherwise be able to enter college?

We asked the officials of the institutions to give the most reliable estimate possible of the number of additional veteran students—over and beyond the number they will admit without these aids—they would be able to provide for if the two bills now pending before your committee are adopted.

Official estimates from the 117 institutions indicate that they can and will accommodate next year, 1946-47, a total of 23,156 additional veterans if they can have immediately the assistance provided by these bills. They indicate that they would expect to provide for 6,861 of these additional veterans under the provisions of S. 2085, and the others under the provisions of S. 1770.

Since time would be required for building, even if these bills are passed and implemented immediately, the number of additional veterans to be accommodated would be considerably greater the following year, the number for 1947-48 being estimated as 30,093, of whom 7,766 would be accommodated under the provisions of S. 2085.

Thus, if we may reliably generalize on the basis of these data from 117 representative institutions, it seems reasonable to conclude that the immediate passage and quick implementation of the pending measures, S. 2085 and S. 1770, with building materials and equipment for these purposes given priority, would enable the colleges and universities to provide for 282,390 additional veteran students in 1946-47, for 366,951 additional veteran students in 1947-48, for 416,902 additional veteran students in 1948-49, and for 437,695 additional veteran students in 1949-50.

It is certainly valid and reasonable to say that practically all of these students will otherwise be seeking in vain to secure admission to college.

Mr. MEAD. Mr. President, Mr. Wyatt, Administrator of the National Housing Agency, wrote a letter to the Senator from Montana [Mr. MURRAY] commenting on the bill, suggesting amendments, and otherwise offering some very excellent suggestions. In the letter, Mr. Wyatt made this comment:

S. 2085, introduced on April 19, would enable the Federal Works Administrator to provide needed educational facilities, other than housing, through the use or reuse of surplus structures or facilities under the jurisdiction or control of any Federal agency. I am entirely in accord with the purposes of this bill. The right of veterans to educational opportunities requires the expansion of other facilities besides housing, and these should certainly be made available. Since the bill sets forth a program outside the scope of the National Housing Agency, I shall not comment upon the detailed methods which the bill sets forth to obtain its objective. With the objective I am in hearty agreement.

Mr. President, I ask unanimous consent that the letter may be printed at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL HOUSING AGENCY,
Washington, D. C., May 16, 1946.

HON. JAMES E. MURRAY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MURRAY: In view of the hearings commencing today on S. 2085, S. 1770, and the amendments to S. 1770 introduced on April 19, all sponsored by Senator MEAD, I should like to present the following suggestions:

S. 2085, introduced on April 19, would enable the Federal Works Administrator to provide needed educational facilities, other than housing, through the use or reuse of surplus structures or facilities under the jurisdiction or control of any Federal agency. I am entirely in accord with the purposes of this bill. The right of veterans to educational opportunities requires the expansion of other facilities besides housing, and these should certainly be made available. Since the bill sets forth a program outside the scope of the National Housing Agency, I shall not comment upon the detailed methods which the bill sets forth to obtain its objective. With the objective I am in hearty agreement.

If S. 2085 should be approved, I recommend that the following provision be inserted at the end of section 504:

"(d) Nothing in this section 504 shall affect the transfer to the National Housing Administrator of any structures or facilities requisitioned by him pursuant to section 502 (b) of this act, for housing for veterans and distressed families of servicemen prior to any request therefor made by the Federal Works Administrator pursuant to the authority contained in said section 504."

S. 1770, introduced on January 28, would authorize the National Housing Administrator to provide housing for persons attending educational institutions under the GI bill of rights. In effect, this bill would authorize the Administrator to provide new temporary or permanent public housing of any type for such persons. We in the National Housing Agency do not feel that new temporary public housing should be authorized at this time. Rather we feel that provision of temporary housing should be limited to the re-use program already in effect under title V of the Lanham Act. With regard to permanent public housing, we are not in favor of a program of new Federal construction, but feel instead that the Wagner-Elender-Taft bill (S. 1592) provides a decentralized public-housing program broad enough to cover the needs in educational institutions, both for family units and for dormitories. This bill has already passed the Senate. Further, other provisions of S. 1592 contain very liberal methods for the private financing of housing at educational institutions. Therefore, we suggest that S. 1770 as introduced on January 28 is in principle less desirable than satisfactory legislation which has already been approved by the Senate, and which is in accord with our general approach to the problem of public housing.

The amendments to S. 1770, introduced on April 19, contain in section 605 an authorization to the Federal Works Administrator to make loans and grants to educational institutions serving veterans under the GI Act, which would enable these institutions to construct and equip educational facilities (including dormitories). This would supplement the re-use program contemplated under S. 2085 with a new construction program. I regard such a program as necessary and desirable, and since it would come under the jurisdiction of the Federal Works Agency, I shall not comment upon the details of achieving this laudable objective. However, I believe that this program as authorized under these S. 1770 amendments of April 19

should be concentrated upon facilities other than housing, and should not include dormitories without limitation. I believe it entirely sound, and in accord with views already adopted by the Senate, that any programming or provision of housing facilities, whether dormitories or family units, should be concentrated mainly within the National Housing Agency and not divided between two Federal agencies. If it proves desirable in any particular instance to utilize the facilities of the Federal Works Agency for housing purposes, the National Housing Administrator may do so by delegation. (However, there may be cases where dormitories for educational institutions are so integrated with their other facilities that Federal aid for the expansion thereof should be concentrated within the Federal Works Agency.) With this one change, I favor these S. 1770 amendments of April 19.

If the committee finds merit in my suggestions, they could be accomplished as follows:

S. 1770, as introduced on January 28, should be amended by striking out all after the enacting clause and inserting in lieu thereof the provisions contained in section 605 of the amendments to S. 1770 introduced on April 19. In these amendments of April 19, however, the words "including dormitories" appearing on line 4 of page 2 should be changed to read "including dormitories after consultation with the National Housing Agency." Also, the title of S. 1770 as introduced on January 28 should be changed by striking out the word "housing" in the fourth line of such title and inserting in lieu thereof the words "educational facilities and dormitories."

Because of their interest I am sending copies of this letter to Senator MEAD, Senator ELLENDER, and Senator TAFT.

In view of my desire to get these recommendations before the committee on time for the hearings today, the foregoing recommendations have not yet been cleared with the Bureau of the Budget.

Sincerely yours,

WILSON W. WYATT,
Administrator.

Mr. MEAD. Mr. President, there was also presented to the subcommittee of the Committee on Education and Labor a statement by Dr. John W. Studebaker, of the United States Office of Education, commenting upon the bill. The statement was read by Mr. Kelly of the United States Office of Education. From the statement I read the following:

Within the last few weeks the Office of Education has had occasion to query a representative sampling of American colleges and universities concerning types of services which the Office might provide in helping the institutions to meet their current educational problems. A large proportion of the replies listed housing, either for instructional or for dormitory purposes, as the major problem. As a follow-up, the Office of Education on April 24 sent the following message to the heads of 50 institutions of higher education of all types.

Forty-eight replies were received, and 46 of the institutions stated that they had urgent need of additional dormitories to house large numbers of veterans applying for admission. Forty had building plans ready. Each of 23 of the institutions required accommodations for fewer than 500 additional students. Each of 8 others needed space for between 500 and 1,000. Eight needed to take care of between 1,000 and 1,500 each, and 8 more were each in need of living quarters for more than 1,500 students. One of these last 8, unless Federal assistance is available, states that it will have no accommodations for 3,000 applicants this fall.

Thirty-four of the institutions replied that they could not build a single dormitory without Federal aid. Four said they could, and six said they could build partially, but not completely. Practically all could let contracts for construction almost at once, if provided with priorities assistance, and grants and loans.

Mr. President, I ask unanimous consent to have Dr. Studebaker's statement with reference to the two bills printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF DR. JOHN W. STUDEBAKER, UNITED STATES OFFICE OF EDUCATION, BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE SENATE COMMITTEE ON EDUCATION AND LABOR, MAY 16, 1946

I appreciate very much the opportunity to appear before this committee to present certain facts known to the United States Office of Education on the problems of increased enrollment, overcrowding, and need for additional buildings for both instructional and dwelling purposes in our American institutions of higher education.

Peak enrollment in colleges and universities in the fall of 1939 was approximately 1,360,000 students. Studies of current trends show that we may expect about 1,600,000 or 1,700,000 students to be enrolled in the fall of 1946, and that enrollments will not go below this figure in succeeding years. This is a very conservative estimate, and the likelihood is that it will be exceeded. What it means is that our colleges will have to absorb at least three or four hundred thousand more students than were in attendance a few years ago. And since the student body next fall will include several hundred thousand veterans, considerably older than the average student has been in the past, our institutions of higher education, and the communities in which they are located, will be confronted with the problem of finding a place to live for a large number of wives and children. Rooms and apartments that used to be available in college towns and cities are no longer available. The tight housing squeeze throughout America is too well known to need further elaboration here. It is clear that without some sort of assistance to colleges and universities, serious overcrowding and a dangerous drop in standards of living and of education may become the regular fare we shall be offering veterans and our young people.

Reports coming to the Office of Education from all over the country indicate a pretty standard pattern with regard to this problem. In institution after institution, present facilities are being taxed to the utmost, and colleges are being forced to turn away thousands of veterans and other students who are seeking admission. This applies not only to liberal arts or other undergraduate work but also to professional or graduate schools of all types. And anyone who has visited a few colleges recently knows at once that colleges and universities are overcrowded, not only in their dormitories but also in their classrooms and laboratories, beyond anything they have ever before experienced. The fact that practically all educational construction was halted during the war means also that educational institutions have fallen behind in their building programs.

Within the last few weeks the Office of Education has had occasion to query a representative sampling of American colleges and universities concerning types of services which the Office might provide in helping the institutions to meet their current educational problems. A large proportion of the replies listed housing, either for instructional or for dormitory purposes, as the major problem.

As a follow-up, the Office of Education on April 24 sent the following message to the heads of 50 institutions of higher education of all types:

"Consideration being given to including dormitories in Federal public-works program. Please wire collect answers to following questions: 1. Do you have urgent need for additional dormitories? 2. Do you have plans for such buildings? 3. For how many students? 4. Can you build them soon without Federal aid? 5. How soon could contract be let if Government provided priorities for scarce materials and half the cost and, if necessary, loan for balance?"

Forty-eight replies were received, and 46 of the institutions stated that they had urgent need of additional dormitories to house large numbers of veterans applying for admission. Forty had building plans ready. Each of 23 of the institutions required accommodations for fewer than 500 additional students. Each of 8 others needed space for between 500 and 1,000. Eight needed to take care of between 1,000 and 1,500 each, and 8 more were each in need of living quarters for more than 1,500 students. One of these last 8, unless Federal assistance is available, states that it will have no accommodations for 3,000 applicants this fall.

Thirty-four of the institutions replied that they could not build a single dormitory without Federal aid. Four said they could, and six said they could build partially, but not completely. Practically all could let contracts for construction almost at once, if provided with priorities assistance and grants and loans.

It is obvious to anyone that a serious problem exists which requires prompt attention. Devices to work out the problem will have to be considered and studied very carefully. If the solution decided upon calls for Federal assistance, the technical problems involved in establishing relationships and defining specific responsibilities of Federal government, State educational agencies, and the institutions themselves will require painstaking care. In a situation of this sort, where a certain degree of need probably exists on almost every campus in the country, and where assistance will be available for only a selected number of institutions, determining the exact extent of need at a given institution and then establishing a priority of needs among various institutions will call for a highly skilled group of technicians, familiar with the technicalities of college teaching schedules, with enrollment problems, and with methods of building utilization, and with the problems of general educational administration. Whatever arrangements are decided upon for placing this responsibility, adequate provision must be made for an appropriate staff to perform this most essential task of determining fairly and accurately the extent of essential need for each institution.

Mr. MEAD. Mr. President, another witness appeared before the committee, whose statement was very effective, and I shall read a portion of it. Testimony was presented to the committee by A. J. Brumbaugh, vice president of the American Council on Education. Among other things Mr. Brumbaugh said:

The provision for housing an increased number of students has, however, created another problem. It has created a shortage of physical facilities in addition to housing—a shortage of classrooms, laboratories, study rooms, gymnasiums, and dining rooms. There is now no adequate provision to transport temporary structure to meet these needs.

He proceeds to recommend and strongly endorses Senate bill 2085.

Mr. President, I ask unanimous consent to have Mr. Brumbaugh's statement printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF A. J. BRUMBAUGH, VICE PRESIDENT AMERICAN COUNCIL ON EDUCATION, BEFORE THE SENATE COMMITTEE ON EDUCATION AND LABOR, MAY 16, 1946

HOUSING

The American Council on Education is an organization of educational associations and institutions. It is composed of 64 national and regional educational organizations and 782 institutional members comprising universities, colleges, teachers colleges, junior colleges, State departments of education, and city school systems.

Institutions of higher education are deeply appreciative of the concern of this committee and the Congress in assisting them to meet the needs of veterans. The appropriations totaling almost \$500,000,000 under the Lanham Act have made it possible for many institutions to accept students considerably in excess of their 1939-40 enrollment. One State university, for example, already has enrollment one-third above its prewar peak, and anticipates an enrollment twice as large as that of 1939-40 at the opening of college this fall. This situation can be duplicated in all of the larger and better known institutions in the United States. But the pressure of maximum enrollments is now also reaching into the smaller institutions.

The provision for housing an increased number of students has, however, created another problem. It has created a shortage of physical facilities in addition to housing—a shortage of classrooms, laboratories, study rooms, gymnasiums, and dining rooms. There is now no adequate provision to transport temporary structures to meet these needs.

Not all institutions will need these additional facilities, for in many of them the greater demand is being met by more continuous use of existing facilities. But there are some which are already using classrooms and laboratories from 8 a. m. to 10 p. m., 6 days a week, yet are still unable to accept additional students because of the lack of instructional space.

It is because of this fact that the American Council's Committee on the Relationships of Higher Education to the Federal Government, at its meeting on May 5, 1946, strongly endorsed S. 2085. The membership of this committee includes the following distinguished educators: Chancellor Harry W. Chase, New York University, chairman; President James B. Conant, Harvard University; President Carter Davidson, Union College, Schenectady, N. Y.; Rev. Edward V. Stanford, Augustinian College, Washington, D. C.; President Raymond Walters, University of Cincinnati; President Herman B. Wells, Indiana University; President Roscoe L. West, State Teachers College, Trenton, N. J.; Dr. George F. Zook, president, American Council on Education, ex officio.

They recommend the quick passage of this legislation and propose only one amendment to the bill as it is now worded. This amendment would make provision for reimbursing institutions for expenditures of their own funds incurred in transporting and erecting temporary structures. This provision for refund was incorporated in the appropriation for title 5 of the Lanham Act, and it is our judgment that it should be carried over into the proposed new title embodied in S. 2085.

The Committee on Relationships took no action on S. 1770, but rather has submitted a poll to college and university presidents, to procure their judgment on this legislation which would provide grants-in-aid to both publicly and privately controlled institutions for permanent housing. This latter bill, S. 1770, involves the fundamental principle of Federal grants to privately controlled ed-

ucational institutions for permanent facilities, and as such it was the opinion of the committee that our action should await the expressed judgment of leaders in higher education throughout the United States. In closing these brief remarks, may I again commend the committee and the Congress for the effective way in which you have responded, and for the invaluable assistance you have given to the colleges and universities. It is this kind of cooperation between Government and higher education that is making it possible for our colleges and universities to meet the demand resulting from the generous provisions of the Congress for veterans' education.

Mr. MEAD. Mr. President, just one more statement, and then I shall conclude. I have a report from Col. F. Russell Lyons, colonel, GSC, Chief, Installation Branch, Services Group, ASF, a memorandum with respect to surplus buildings available for disposal. It states the surplus buildings, by States, which are available for disposal and to become available for disposal during the remainder of the calendar year. It is very interesting to note that wherever there is need for a number of buildings in a given State the military has more than that number of buildings in the same State. They are buildings which can very well be used for engineering laboratories, for administration buildings, for classrooms, for laboratories, and for the other purposes for which our universities and colleges stand in need of buildings. Altogether, Mr. President, a total of 32,308 such buildings are surplus now, and there will be 3,043 additional buildings surplus in the third quarter of 1946, and 672 additional buildings surplus in the last quarter of 1946.

So, Mr. President, we have the buildings, and they are located in our military training centers for the most part. Colleges and universities, many of them located at a short distance from the military training centers, have a very pressing need for those buildings. If we are to educate the veterans and carry out the responsibility which is ours, if we are going to meet the obligations under the GI bill of rights, then, Mr. President, all we have to do is to approve the proposed legislation upon which I have just commented, which will authorize the Federal Works Agency to take down and transport and erect these buildings on the campuses of the universities, and in addition to that, by a system of loans and grants, aid the colleges and the universities in the extension and enlargement of existing buildings and in the construction of new buildings.

Mr. President, I ask unanimous consent that the memorandum from Colonel Lyons be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Memorandum for Brig. Gen. T. M. Osborne, Deputy Director, Supply Group

Subject: Surplus buildings available for disposal.

1. Reference is made to your informal request for a list, by States, of surplus War Department buildings available for disposal. It is understood that this list is to be used by the Mead committee in their study of

the disposal of surplus War Department installations.

2. Accompanying this memorandum is a list showing the number of surplus buildings, by States, available for disposal and to become available for disposal during the balance of the calendar year. No attempt has been made in this estimate to separate the buildings into types and categories. The numbers of buildings are based on an estimate of 400 buildings for 10,000-man capacity in posts, camps, and prisoner-of-war camps, and 60 buildings for a 1,000-bed hospital. Installations transferred or scheduled to be transferred to the Veterans' Administration and buildings transferred to the Federal Public Housing Administration are not included in this list.

3. This estimate, compiled rapidly on the basis of capacity, is necessarily an approximation. The several service commands will be directed to compile and forward accurate counts of surplus buildings within their command by types and categories. These data will not be available prior to May 23, 1946. Advice is desired concerning the amount of time available before these accurate figures will be required for your conferences.

F. RUSSELL LYONS,

Colonel, GSC, Chief, Installation Branch, Services Group, ASF.

Surplus buildings available for disposal

State	Surplus now or prior to June 30, 1946	To be surplus in third quarter, 1946	To be surplus in fourth quarter, 1946
Alabama.....	1,141		
Arizona.....	373		
Arkansas.....	680		
California.....	1,963	105	
Colorado.....	388		
Connecticut.....			38
Delaware.....	79		
Florida.....	1,137		
Georgia.....	1,208		
Idaho.....	140		
Illinois.....	467	165	
Indiana.....	38		
Iowa.....	402		
Kansas.....	1,439		
Kentucky.....			
Louisiana.....	3,937		
Maine.....			
Maryland.....	188	45	
Massachusetts.....	57		147
Michigan.....			
Minnesota.....			
Mississippi.....	4,419		
Missouri.....	496	829	
Montana.....			
Nebraska.....	142	200	
Nevada.....			
New Hampshire.....			
New Jersey.....	161		
New Mexico.....	437		136
New York.....	685	1,669	80
North Carolina.....	976		175
North Dakota.....			
Ohio.....	50		
Oklahoma.....	567		
Oregon.....	1,414		
Pennsylvania.....	23		196
Rhode Island.....	26		
South Carolina.....	1,360		
South Dakota.....			
Tennessee.....	1,711		
Texas.....	5,432		
Utah.....	45		
Vermont.....			
Virginia.....	91		
Washington.....	321		
West Virginia.....	356		
Wisconsin.....			
Wyoming.....			
Total.....	32,308	3,043	672

JOINT COMMITTEE ON THE LIBRARY

The PRESIDING OFFICER (Mr. HOEY in the chair). The Chair appoints the Senator from Maine [Mr. BREWSTER] and the Senator from New Jersey [Mr. HAWKES] as members of the Joint Committee on the Library to fill existing vacancies.

**SPECIAL COMMITTEE TO INVESTIGATE
SENATORIAL CAMPAIGN EXPENDI-
TURES, 1946**

The PRESIDING OFFICER. The Chair appoints the Senator from Louisiana [Mr. ELLENDER], the Senator from Colorado [Mr. JOHNSON], the Senator from South Carolina [Mr. MAYBANK], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Iowa [Mr. HICKENLOOPER] as the members of the Special Committee To Investigate Senatorial Campaign Contributions and Expenditures in the 1946 Elections, created by Senate Resolution 224, agreed to on the calendar day of April 1, 1946.

ORDERS FOR RECESS TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRODUCTION OF SUGARS AND SIRUPS IN
ALCOHOL PLANTS—REPORT OF COM-
MITTEE ON FINANCE**

Mr. GEORGE. Mr. President, from the Committee on Finance, I ask unanimous consent to report favorably without amendment the joint resolution (S. J. Res. 162) extending for 7 months the period of time during which alcohol plants are permitted to produce sugars or sirups simultaneously with the production of alcohol, and I submit a report (No. 1361) thereon. This joint resolution was introduced earlier today by the Senator from Nebraska [Mr. BUTLER] and myself.

The PRESIDING OFFICER. Without objection, the report will be received, and the joint resolution will be placed on the calendar.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. KILGORE. Mr. President, unlike some of my colleagues, I wish to speak today for just a few minutes about the man who has not so far been discussed on the floor of the Senate—the common garden variety of coal miner who digs the coal under the ground and puts it on the car.

The soft coal shut-down has presented to the people of America one of the most tragic and bitter paradoxes of our times.

The atomic age may be just around the corner; but the fact remains that we are now living in the coal age.

Our economy, indeed our entire civilization, crucially depends upon continued production of coal.

Without coal, and, without the labor of the men who produce it, our mills, our factories, our ships, our trains, and our public utilities become still and silent. In fact, even our women folk go without stockings; those of us who suffer from diabetes go without saccharin; and those who suffer with headaches go without aspirin.

Coal makes the rest of our national enterprise productive. Without it our entire economy bogs down into helplessness.

Yet, strangely enough we take coal—this vital key to enterprise and production—as a matter of course, as something that just happens, until the source is cut off.

It is not like oil from an oil well, I will say to the Senator from Oklahoma [Mr. MOORE]. When an oil well is drilled and cleaned out, the oil flows, or a pump is used to pump it out. In the case of coal, it is just as though we had to go to the bottom of an oil well with a bucket and bail out every gallon which flowed into the well.

Mr. President, I represent the Nation's largest bituminous coal producing State, and, I know from the tragic experiences of the men living in my own home county that coal is not afforded to man on a silver platter as is all too often thought, and as has been all too often represented on the floor of the Senate. It comes only with the sweat and blood of man—only through the grim, health-destroying, bone-breaking toil of the miner.

It is indeed tragic that while there is no type of labor more indispensable to our economy, there are few occupations more fraught with danger, more decimated by willful negligence and gross neglect of safety.

The coal miner is indispensable to our economy; yet we permit cutthroat employers to exploit him to the utmost. We permit the development of a condition not unlike that which caused the revolution in Ireland. We permit the existence of a condition much similar to that which caused us to shed so many tears over the share croppers and Southern cotton workers, and to enact legislation to cure those evils. We permit many absentee landlords—landlords more interested in profits than the welfare of their employees—to exploit the coal miners; yet many people heap words of scorn upon miners when they strike for better living and working conditions.

Mr. President, there are many coal operators who want to help the miners. We found a paradoxical situation in the county adjoining my home county, in which one operator who had built a railroad bridge to give an outlet to the coal from his mines, which bridge also was used by other operators in the same field, endeavored to enjoin other operators from the use of the bridge because of their bad practices. He was not a "peanut" operator. He was one of the largest operators in the State, a splendid man, who did not want to cut the wages below a decent living standard. He did not want to abuse his men. He went to the courts to try to prevent companies which did exploit their men from using the bridge, which his money had built, to get their coal to market.

There are many coal operators who want to improve living conditions in the mining towns. There are many coal operators who want to improve working conditions in the mines. But their hands are tied by the unscrupulous, powerful, well-financed cutthroat operators more interested in profit than the welfare of their workers.

These operators have plagued the coal industry—and I am speaking from a production viewpoint—by waging price

wars reducing prices but maintaining profits at the expense of the coal miner, and sometimes at the expense of the purveyor who furnishes mine supplies and groceries; and also by spot coal shipments, in which the coal sometimes lays on a siding until it sells for 50 cents a ton.

The operator who wants to help his men is forced to string along with the cutthroat operators or face bankruptcy.

Congress, while debating labor laws, has been negligent for 2 years in permitting the continuation of these conditions.

Several years ago a bill, commonly known as the Guffey coal bill, was passed for a 2-year period. It was extended once, but when it came up for its second extension it was pigeonholed in a committee in the House of Representatives. This bill—eliminating price wars—has been collecting dust for almost 18 months.

I ask, how many members of the committee which pigeonholed that bill, which would enable the operator to bargain and fix wages, come from coal-producing States?

Congress can and must help the miner and the mining industry by passing the Guffey coal bill.

In meeting the cutthroat competition many coal operators have operated under a system which denies the miners the ordinary safety which other industries furnish their workers.

The miner is forced, by necessity, to live near the source of coal.

The coal miners in my own home county of Raleigh County, W. Va., have a living standard much higher than that in other soft-coal-producing areas, yet those conditions are pitiful in comparison with the condition of workers in the average company-owned town in other industries.

In many coal-mining towns everything is owned by absentee landlords who have done virtually nothing, in many cases, to help their unfortunate employees.

This is true not only in West Virginia, but in other coal-producing States.

Mr. President, I have before me copies of newspaper articles on this subject. These are not propaganda articles. They were prepared and written by reporters of conservative newspapers such as the Washington Evening Star and the Washington Post. I ask unanimous consent to have these articles printed in the RECORD at the conclusion of my remarks. I shall quote from some of them in my address, but I believe that the entire articles should appear in the RECORD, and I ask unanimous consent at this time to have them printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. KILGORE. Mr. James Y. Newton, of the Evening Star, wrote:

In the field of things that affect the everyday lives of its workers, the coal industry has done its worst job on housing. Much of it is atrocious.

He used the word "atrocious." I believe no one will deny that the Washing-

ton Evening Star is a conservative newspaper.

The coal-mining towns are bleak, desolate towns. In too many cases miners and their families must live in company-owned, grim, downtrodden shacks.

Mrs. Agnes Meyer, of the Washington Post, went into the coal fields and found living conditions "deplorable," to use her own word.

She wrote:

The miners need a chance to live like human beings.

Yes; they need a chance to live like ordinary, decent Americans in other industries.

Mrs. Meyer also wrote:

They need a chance to escape from the pigsties they are forced to inhabit. They need health instead of filthy water supplies, unsanitary toilets, bad odors, flies, mosquitoes, and the diseases that result from them. They must be assured a living wage. They are entitled to safe working conditions instead of being forced to walk daily into death traps.

In her article written in Harlan, Ky., May 7, she stated:

I have been through the bituminous coal areas of the Appalachian Mountains, where the fatalities read like battle reports from Iwo Jima.

Mr. President, I regret to say that she did not exaggerate.

I wonder how many Members of this body have ever been around a mine when a great explosion occurred? I have had that sad experience on three occasions. I have seen women come to the mouth of the mine with their children, knowing that their husbands were underground, and not knowing whether they were coming back alive, crippled, or dead—not knowing what was going to happen to them. There have been mine disasters in which more than 300 people have lost their lives. I regret to say that Mrs. Meyer did not exaggerate.

When we think of coal for our furnaces, coal for electric lights, coal for transportation, coal to keep our industries in operation, we do not think of the men working 3 or 4, or even 6 miles underground.

The public does not see the conditions which make mine fatalities, as Mrs. Meyer wrote, read like battle reports from Iwo Jima. How many people realize that during the past 40 years the number of outright deaths from all causes averaged almost 2,000 annually? How many people realize that the number injured from 1930 to 1944 totaled almost 67,000 a year, out of 400,000 employed in the mines? How many people realize that the total number of disabled, partially disabled, and temporarily disabled from 1930 to 1944 was 1,004,624, in addition to the number killed, which was 28,000? How many people realize that during normal times most of the coal companies will not employ a man over 45 years of age? That practice is usually followed only in the case of deep-sea divers, caisson workers, and a few other workers who are paid extremely high wages.

How many of the people who are criticizing the miners are willing, know-

ing those facts, to go into the mines and work under present conditions?

Mr. President, how long are we going to permit the continuation of such conditions?

I am not speaking to the operators and I am not speaking to the miners. I am speaking to the Members of the United States Congress, and particularly to the Members of the United States Senate.

I realize that for what I am about to suggest I shall be accused of trying to violate States' rights; but I wonder how long we can stand by and permit so many people in a single industry to be killed and injured.

I have walked through the entries of mines in which coal dust was above my shoe tops; and coal dust is the most destructive explosive that existed up until the invention of atomic fission.

I ask those who are so eager to exorcise the miner because he strikes in demand of better living and working conditions whether they are willing to go down into the mines day after day and year after year and subject themselves to an occupation which has taken such a heavy toll in human life.

Several years ago a bill was introduced in Congress to create a Federal Mine Inspection Department. That bill, like the other bill I have mentioned, was held in a committee in the House of Representatives for over 3 years. Finally, the United States Senate forced it to conference, where it passed. I give the Senate full credit for its action in that connection. But the bill was not enacted until it had been written so as to give only the right of inspection, but not the right to enforce a standardization of safety laws and practices.

In such a highly competitive industry, is it wise to leave the safety of human beings in the hands of varying standards? Or is it better to have the standards prepared and supervised by a Federal agency composed of experts who know mining—experts who will not permit human life to be sacrificed for the benefit of profit alone.

In virtually every major industry affecting the economy and welfare of our great Nation we have recognized the need for adequate safety standards; yet, in the coal industry—the key to our national enterprise and production—we permit mine fatalities to read—as Mrs. Meyer has said—like battle reports from Iwo Jima.

There are safety standards for the railroads, to protect the crews and the cargo. They are Federal standards; and, incidentally, they are strictly enforced by the Interstate Commerce Commission, and we must admit that the Commission does a very good job.

Once more the anti-labor lobby has rushed into the Halls of Congress with cries for action now.

This is the time for action. But to blindly rush into anti-labor legislation at this time fits only the schemes of the powerful, well-financed anti-labor lobby.

Congress must act in a constructive manner. Would a surgeon paint the surface of the skin to remove a tumor, or would he get to the source of the

tumor and cut it out? Congress can no longer shirk its duty to the coal miner. It is the duty of Congress to guarantee the safety and health of workers in an industry as basic as coal mining. By doing so Congress will be taking a long-needed, constructive step toward improving conditions in the mining industry, and it will be taking a constructive step toward minimizing disputes in that vital industry.

If this be a violation of State rights, what do Senators say about a law prohibiting or limiting the manner in which citizens of various States may deal with their employers? If one trespasses on the rights of the States, certainly the same is true of the other.

In the final analysis, Mr. President, we have but two alternatives:

First, we can leave the enforcement of mining standards and practices in the hands of the individual States. But if we are to accept this premise, is it unreasonable to say that we also should ask the individual States to handle mine disputes? If one is a matter of States' rights, so is the other.

The second alternative is this: We can put teeth into the Federal mine-safety bill by affording the Bureau of Mines the authority it needs to enforce its recommendations.

In view of past history, I firmly believe that the latter course is the only course that will provide the necessary improvements in mine-safety procedure.

Let me say that I do not believe we should abolish the State inspection systems. I think that they, in connection with a good Federal system, would produce desirable conditions in the mines, because certainly a double check is not too much to make in the face of such conditions and in the interest of those who work in such an explosive atmosphere.

I propose an amendment to the Federal mine-safety bill giving the Bureau of Mines the authority to enforce its recommendations regarding mining standards and practices.

By way of explanation, let me say that this amendment in no way tends to supersede agreements reached by labor and management regarding compliance with the Federal mine-safety laws.

The purpose of this amendment is clear; it puts teeth into the Federal mine-safety bill.

One of my colleagues from West Virginia, Representative JENNINGS RANDOLPH, the chairman of the Subcommittee on Coal, of the Mines and Mining Committee of the House, is working on another approach to this problem; and I have every reason to believe that a conference will enable Congress to draft an adequate measure to enforce the mine-safety laws.

But, Mr. President, before we try to use pressure and coercion and methods of that type, I think we had better remove the source of the sore spot, by enacting legislation which is demanded by the situation.

The need is great. This is the time for action.

Therefore, Mr. President, I shall offer as a substitute for the pending measure

an amendment to the Mine Safety Act. I shall offer it as an amendment in the nature of a substitute. The amendment is intended as a substitute for the Case bill, and not as an amendment to it.

It is clear that the Senate has set aside other more urgent business in order to consider labor legislation because of the occurrence of the coal dispute. We can make no contribution toward industrial stability by passing hastily drawn, if not ill-conceived, over-all labor legislation directed against workers who have exercised their fundamental right of refusing to remain on jobs under conditions which they find intolerable. Since the plight of the coal miners has brought to the attention of the whole country the hazardous and unsafe conditions which too often prevail in coal mining, the Senate has an opportunity to eliminate one of the causes of the present dispute by putting teeth into the Federal Government's mine-safety inspection law. Immediate action on the proposed mine-safety substitute bill will remedy one of the causes of the coal dispute, and thus will be a lasting contribution to peaceful relations in this basic industry.

Mr. President, let me also say that if the House of Representatives will wake up and if the Ways and Means Committee of the House of Representatives will get on its toes and report the Coal Stabilization Act, so that the decent operators—and there are many of them—can safely deal with their employees and can be sure that they will not suffer as a result of the actions of the cutthroat operators who are willing to operate below cost, at the expense of the miners, we shall eliminate another one of the causes of the coal strike, and we shall do so by means of appropriate and proper legislation which the Constitution contemplates that the Congress of the United States shall consider and, if it deems wise to do so, shall enact.

We should make progress in that way, and not by the passage of, let me say, some kind of a bill of attainder aimed at an individual—as some of the speeches which have been made would indicate that some Member of the Congress might attempt to have passed.

The amendment in the nature of a substitute intended to be proposed by Mr. KILGORE to the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes, is as follows:

Strike out all after the enacting clause and in lieu thereof insert the following:

"That the first section of the act entitled 'An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes,' approved May 7, 1941, is amended by adding at the end thereof the following:

"(f) For the purpose of obtaining such information as may be necessary or appropriate for prescribing regulations pursuant to section 13 and for the administration and enforcement of such regulations."

"Sec. 2. Such act of May 7, 1941, is further amended by adding at the end thereof the following:

"Sec. 13. (a) The Secretary of the Interior, acting through the United States Bureau of Mines, is hereby authorized to prescribe rea-

sonable regulations establishing standards and requirements necessary and appropriate for the prevention or amelioration of unhealthy or unsafe conditions, accidents, or occupational diseases in coal mines the products of which regularly enter commerce or the operations of which substantially affect commerce. Such regulations may provide, among other things, that the operations of any such mine shall be suspended in whole or in part upon the order of a coal-mine inspector if he finds in such mine an unsafe or unhealthy condition which is specified in such regulations as a ground for such suspension.

"(b) At least 30 days prior to the issuance of any regulation under this section or any amendment to such a regulation, notice of the proposed regulation or amendment shall be published in the Federal Register and shall include either the terms or a statement of the substance of the proposed regulation or amendment. Not less than 15 days after the publication of such notice, interested persons shall be afforded an opportunity to submit, orally or in writing, data, views, and arguments with respect to such proposed regulation or amendment. All relevant matter so presented shall be given consideration, and such regulation or amendment shall, before issuance, be revised to the extent which the Secretary, acting through the Bureau of Mines, deems necessary and appropriate in the light of such matter.

"(c) Whoever violates the provisions of any regulation prescribed pursuant to this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

"(d) Whenever in the judgment of the Secretary, acting through the Bureau of Mines, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any regulation prescribed pursuant to this section, the Secretary may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such regulation, and upon showing that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order may be granted without bond."

Amend the title so as to read: "A bill to provide for requiring compliance with safety regulations in coal mines."

EXHIBIT A

[From the Washington Star of April 28, 1946]
ATROCIOUS HOUSING IS WORST FEATURE OF MINING INDUSTRY—BOTH OWNERS AND MEN BLAMED FOR CONDITIONS UNDERLYING ECONOMIC CAUSES ANALYZED

(By James Y. Newton)

In the field of things that affect the everyday lives of its workers, the coal industry has done its worst job on housing. Much of it is atrocious. That is true, at least, in the wide area covered by our survey.

And by using the term "coal industry" we do not mean to imply that those who operate the mines should bear sole responsibility for the situation. They must share a large part of it. But in many instances the miners themselves are to blame, at least for the dirty interiors of their houses. John L. Lewis' union should be criticized, too, for there seemed much that organization could do in educating its members in the better ways of living.

Then there is the way this business of producing coal is run. In much of the territory we covered the mining companies do not own the land where they operate. They lease it long-term from the owning land companies, build the house and develop the mine, giving the land companies from 10 to 15 cents in royalties on every ton of coal mined.

When the coal runs out or the operator goes broke, as is frequently the case except in boom times such as these, the houses revert to the land company. They are not torn down. The houses continue to be inhabited until they fall down around the ears of the occupants—or so it seemed to us after observing a number of camps at abandoned mines.

This system does not encourage the building of sound houses or repairs after they are erected. There seemed to be a lively business in the sale of shacks at worked-out mines. There is a housing shortage in the coal fields too. It makes quite a problem for the community and those coal operators who are trying to improve living conditions.

The Norfolk & Western and Virginian Railroads have tremendous holdings of coal land in southern West Virginia. They get a two-way pull on the coal operator—the royalty and the charge for hauling the coal to market. The two are high on the list of the Nation's most profitable railroads.

Generally speaking, the quality of mine housing varied with the prosperity of the coal company. Those companies operating in thick seams of coal do well financially, and the houses of their camps more often than not reflected that fact. Thin-seamed, marginal mines have a hard job of making ends meet even in good times, and their houses showed it. Before the war, coal mining generally was a losing proposition. Mine workers admit conditions have improved the past 10 years, but they said things can be made so much better than they are.

FIND 25 PERCENT HOVELS

It seemed to us, after viewing more than a hundred mining camps in West Virginia, Kentucky, and Virginia, that about 25 percent of the houses are good, 50 percent in a state of needing various degrees of improvement, and 25 percent definitely bad hovels.

Many houses do not have running water, and a bathroom is a luxury in most places. Nearly all appeared to have electricity. Company-owned houses predominate in the areas visited, although some mine workers were said to be building homes of their own. The topography of the coal country limits this trend. Good building sites are few, what with the masses of mountains and V-shaped valleys and a railroad track down the middle.

It was a source of some amazement to us that some of the houses, perched precariously on steep mountainsides, did not tumble off. We mentioned our concern to Charles Kiser, United Mine Workers representative at Williamson, W. Va.

"Well, it just happened," he said. "A house toppled off on a hill at War Eagle. Five people in it. They were all banged up some, but not hurt seriously."

G. W. Griffith, union field man in the Bluefield-Welch, W. Va., area, told us:

"Our people are 50 years behind modern-day living. Only about 5 percent of the houses are good. Very few have bathrooms."

FIGURES SEEM EXAGGERATED

His percentage of good houses seemed exaggerated from our observations, but the housing situation in general has furnished UMW Chief Lewis with a powerful argument in the contract controversy with the operators.

Mr. Kiser said the two best mine camps in the Williamson field, about half of which is across the Tug River in Kentucky, were those of the Red Jacket Coal Corp. and the Eastern Coal Corp. We inspected the latter, located in Kentucky about 8 miles from Williamson.

The company operates four mines and officials told us there were 800 company houses, most of them of four rooms. About 90 percent had running water and 25 percent bathrooms. The exteriors were freshly refinished with composition board. The interiors did

not live up to our expectations. Rent was \$2.50 a room per month and \$1.50 extra for a bath.

Rentals at Eastern were about the standard for all of the coal areas surveyed. The houses were above average.

COMPLAIN OF LOW RENTS

Some of the mine operators claimed that one reason they could not furnish better housing was because they were paying 1946 wages to the miners and giving them the houses at 1910 rental rates. Frank P. Kerr, Eastern general manager, was one of that group.

"What the hell kind of a house does Mr. Lewis think we can furnish for \$10 a month?" he asked.

We talked with some of Mr. Kerr's miners, among them Leon Hackney, 25, who was waiting for a bus. Mr. Hackney strayed from our subject of housing, talked about a lot of things and, when his bus arrived, waved us over to his house and wife. What he said may be of interest, anyway, as an insight into mine life.

He is a native of the area; eighth-grade education; went to work in the mines at 19 and gets \$63.50 a week as a brakeman on minecars when he works 54 hours. He arises at 6 a. m., is at work by 7; out of the mine by 4, 6 days a week, says "I'm tired of this 6-day business." Eating in the mine upsets his stomach, as it affects many, so he goes without lunch. He bathes after work and has dinner at 4:45. Afterward he walks "up and down the road," reads a paper or book and retires about 9. Twice a week he breaks his routine and accompanies his wife to the company movie.

PLEASED WITH CONDITIONS

Mr. Hackney doesn't drink. On Sunday he rests or goes to a movie, perhaps in Williamson. He leaves off the movies now because he is broke. All he knows about the miners' contract fight he reads in the paper; he has never seen Mr. Lewis. He would like most the 5-day week and pay boost; doesn't understand the welfare demand. Thinks the house is fine; likes to deal at company store and thinks medical and hospital arrangement good. He attends union meetings twice monthly. Sold his small car recently.

Mrs. Sylvania Hackney didn't see things as rosy as her husband. She has a daughter, 10, by a previous marriage, plus a 4-year-old boy and girl twins and another boy 3 years old. Also living with them are two of her brothers. One is a miner for another company. The other was just discharged from the Army. The first brother, Clayton Stiltner, 37, pays \$31 a month room and board; the other nothing so far.

Mrs. Hackney thinks the house a mess inside and she is right. The walls are smoke-blackened, and the whole layout not too clean. She says it has not been painted inside in 35 years. Nevertheless, there was a lot she could do to make it a better place. It is heated by coal grates in each room. There's water but no bath. She says she needs a new coal stove and washing machine. They pay \$12.50 a month rent.

The sleeping arrangement was very crowded. Three children occupy the living room; the parents and youngest child a first-floor bedroom. Her brothers sleep in one upstairs room. The other is useless when the weather is bad, because there are no window sashes. They have complained about that to the company.

They have no war bonds or other savings. "We could have saved something if we tried to, but we're just like everybody else," she said, adding that she had stored away more than \$100 in groceries in anticipation of the strike, most of which are gone.

"I think Lewis is doing all he can for the miners, but it seems like there are an awful lot of strikes. They put you behind. By the

time you get caught up from one, another comes along. Boy, I'm all for the union, though. What I would really like is a union with no strikes. But I guess it takes strikes to hold it together. I say for them to stay out 6 months if that's needed to get what they want. We will make out somehow. I don't know what we would do though if the company cut off our credit at the store" (the union guaranteed the store against loss up to \$1,000)."

The Hackneys have no radio. They subscribe to a Williamson paper, and Mr. Stiltner, the miner, takes a Philadelphia paper which arrives a few days late. Asked about the paper, he said: "Met a lady down the creek—she sold me a subscription."

TELLS OF WILD DRIVING

Eastern company mines are located on a small stream, Pond Creek, which courses through the Kentucky mountains some 15 miles, emptying into the Tug River at Williamson. There is a concentration of mines along the stream and miners' houses dot its sides the whole way.

A narrow road winds along the creek. Last summer a flash flood washed out the road along with some of the miners' families, and it is in need of repair. A Williamson cab driver, who said he did a lively business with Pond Creek miners at \$3 a head when they were working, told us something about the road.

"That's the most dangerous stretch of road in the United States on Saturday nights," he said. "Them miners get paid, take on a load of likker, and head for town down the hollow in their cars. Boy, I wouldn't haul nobody up there Saturday night for a thousand dollars. Tried it once and got side-swiped three times."

In wandering about hundreds of miles of coal country roads through scores of mine properties, perhaps the most rundown camp we saw was that of the Kentucky Straight Creek Coal Co., near Pineville, Ky., where a mine explosion last December cost the lives of 25 men. The houses were blackened, tumbled-down shacks that appeared never to have been painted or whitewashed. A miner said he paid \$2.25 a room for one of the hovels, and that in some cases as many as 10 persons were crammed into a four-room shack.

CLAIM RENTS PAY FOR HOUSES

Union officials declared that even the comparatively low rents charged for the houses had paid for the structures several times. They said the original costs varied from around \$1,000 up to \$4,000, depending on size and type of construction. Only a handful of houses built of material other than wood were seen.

Neat frame structures marked the Pocahontas Fuel Co. camp, Pocahontas, Va. The company was said to mine the richest coal seam in the whole region. A subsidiary of United States Steel, the U. S. Coal & Coke Co. supplied its miners about Gary, W. Va., with adequate homes. A score of new homes dotted a hillside of the Seco Coal Co. camp, near Jenkins, Ky.

The quality of houses frequently varied greatly within a single camp. So it was with the American Coal Co., near McComas, W. Va., in the Bluefield-Welch section. Some were fresh and new in appearance, others run down.

Often the interiors of those with a dingy exterior were better, cleaner, and neater than ones in the same camp which appeared good from the outside. At the American Co. camp Steve Barlow, a mustachioed veteran of about 60, occupied a run-down place with his wife. Mr. Barlow said he had lived there 37 years and it had been painted twice, once by the company and the other time by himself. The home was clean inside, although the chimney seemed about to fall through the roof.

FINDS MINERS COULD HELP

There was no doubt that in innumerable instances the miners could do much to make their houses better places. Too many appeared content to live in dirt and filth, supplying a home for rats as well as themselves.

The typical miner's house almost always seemed to have a creek nearby which was a catch-all for garbage and whatever waste the family had to discard.

We asked several United Mine Workers' officers why the union did not conduct a campaign to educate its members in better ways of living. Some admitted that much could be done in that field.

Mr. Kiser, the Williamson union representative, said that for many years a miner could not get a job unless he lived in a company house. He added that it was the company's responsibility to keep the houses in repair with the rents collected, but that in most cases if the miner wanted anything done he had to do it himself.

"There is little incentive for a man to do the work himself," he continued, "since he never knows how long he will live there and is ever hopeful of getting a better place to live."

[From the Washington Star of April 29, 1946]

DISABLED MINERS FIND INDUSTRY'S PROVISIONS FOR CARE INADEQUATE—ALLOWANCES FOR CRIPPLED AND DISEASED MEN OFTEN SHORT OF DECENT LIVING STANDARD

(By James Y. Newton)

The lines of the crippled and diseased, of men burned-out physically before their time, that file into the coal-field offices of the United Mine Workers, and the stories the men tell, seem to testify to the inadequacy of the coal industry's schemes for caring for its unfortunate employees.

By this we do not mean to imply endorsement either of John L. Lewis' demand for a union health-and-welfare fund, supported by a royalty or tax on coal, or of the operators' counterproposal for a joint fund to be used to "mitigate unusual hardships" arising from occupational accidents, and administered by some independent agency. That controversy does not concern us here.

Visits were made to union offices in Williamson and Welch, W. Va., centers of large coal production, and in both the story was pretty much the same. There appeared to be at least three general types of cases where the present assistance given the men is inadequate. These are:

1. Compensation awarded those both partially and totally disabled in mine accidents frequently is insufficient to match a man's loss of earning power and too small to enable him to live decently.

2. Coal mining is rough, hard work. The miner is knocked about, breathes impure air, and works under artificial light. Consequently, he is burned out at 50 and 60 years of age, and, more often than not, has no means of support until his Federal old-age pension comes in at 65.

3. There are numerous disease cases where help is needed. Some are border-line cases where the State compensation board ruled that the man's troubles did not result from an occupational injury. Many of these, it appeared, could be decided either way. In any event, the miner is incapacitated and finds the going tough.

Cecil Davis, 45, of Naugatuck, W. Va., has been a miner for 25 years. His wife is the only dependent. Last June 19, the wheels of a coal-cutting machine almost severed his hand. It has healed, but is twisted and distorted and he is unable to close it. Bones protrude under the skin nearly an inch above the normal level of the back of his hand. There's a large knot on his wrist. He said the arm is of little use to him.

DREW \$16 WEEKLY

Mr. Davis said he drew \$16 a week compensation until November 18, nothing since then. He was first awarded \$343 compensation. The union fought the case. They got it up to \$1,132 for 85 percent disability to five fingers, nothing for the hand. He drew about a third of the total in the early installments, has \$795 to come.

The coal company, he said, was reluctant to reemploy him because his handicap might lead to another accident. He said he was uncertain just how much work about the mines he could do. They cut off his credit at the company store, he related, and offered him \$1,000 for his home that cost \$1,600 to build a year ago.

"I'm having a tough time," said Mr. Davis. "I've drawn nothing since November. I don't think I got enough for my hand."

Evans Juke, of War, W. Va., who said he was 50 and looked much older, illustrates another type of case. About 4 years ago he had a forefinger chopped off and the others badly smashed in a mine accident. He received \$16 a week compensation for a year.

About the time of the accident, Mr. Juke said he began having trouble with the arm and shoulder. It grew steadily worse until at the present time, he says "my arm and shoulder are paralyzed and it pains me all the time."

The compensation board ruled the additional ailments were not results of the mine injury and refused to make awards for them. The union took the case all the way to the State Supreme Court and lost.

Mr. Juke carried a letter dated last February from Dr. D. H. Hatfield, of Huntington, former Governor and Senator from West Virginia, diagnosing his ailments as neuritis extending from the "tips of the fingers to the shoulder inclusive," plus arthritis.

NOW TOTALLY DISABLED

"This man is 100 percent permanently and totally disabled for doing any kind of work," wrote Dr. Hatfield. "Not only is this true but he suffers excruciating pain all the time and is entitled to the care and consideration of the compensation department."

William M. Lester, assistant-UMW field director at Welch, said there was virtually no chance of getting further compensation. The miner said he lived on "crumbs and whatever I can find" and slept wherever he could get a spot.

A slate fall in August 1943 left William Sexton, 34, paralyzed from his waist down, so we went by his home to interview him. He was operating a coal-cutting machine in a mine 20 miles from Welch when the accident occurred. His back was broken in several places and four ribs were smashed from the backbone.

Mr. Sexton said he spent more than a year in and about hospitals at Huntington. They saved his life, but told him he would never walk again. His father lives in Huntington. He also injured his back in the mines and is unable to work.

The younger Sexton is married and has four children, three boys and a girl. He is bedridden and covered with sores. His wife nurses him and cares for the house and children. He lives in a tumble-down house 7 miles from Welch, one of a group of 31 at an abandoned mine. A real-estate firm bought the houses from the mining company, he said, and sold them to miners. He purchased his not long ago for \$1,375 because he had to have a place to live.

DEBTS GROW LARGER

Mr. Sexton receives the maximum in compensation, \$69.52 a month for life. He pays \$25 a month interest and principal on the house, and his bill for sterilized bandages and medicines averages \$16 a month. The electricity bill runs \$4 to \$5 a month. The heating and cooking stoves burn 20 tons of coal a year at \$6.58 a ton. Employed miners

in company houses get their coal for about \$2.80.

"I owe everybody," said Mr. Sexton worriedly. "I can't pay my bills. They just get bigger and bigger."

He apparently was pretty well fixed at the time his back was smashed. The Sextons had an electric refrigerator, washing machine, an expensive cabinet radio, and similar gadgets. He said a store took the refrigerator for a bill he owed. The radio went to pay moving charges.

There was no bathroom or water in the house. Mr. Sexton said he could get water if he had the money to run a pipe up the hill.

"I don't feel much good today," he said. "Haven't slept last two nights. Got pain most all the time. I can do anything mighty near with my hands when I'm able to."

He then had his wife exhibit a guitar he fashioned from an old piece of furniture, a chair covering embroidered with "Home Sweet Home" and numerous dogs and cats made of fur. A wall plaque in the living room read, "Must Jesus bear the cross alone and all the world go free," and another in his room, "Give me my flowers while I live."

W. H. Nelson, Beckley, W. Va., union compensation attorney, said he handled hundreds of cases where he termed the payments for mining injuries inadequate.

He showed the record of George Wade, 60, of Worth. In a written diagnosis a doctor said he had second-stage silicosis. In filing out the compensation from April 15, the doctor had scratched out "second stage" and written "first stage" above it. Compensation amounts to \$800 for first stage, \$1,600 for second, lifetime payments for third stage. The union contends the man is totally disabled. Mr. Nelson said he had a chance of getting the \$1,600.

"After he spends that, he's through," Mr. Nelson said.

He cited the case of a 30-year-old colored man blinded from miners' nystagmus, who got nothing in the way of compensation because the State law does not cover that particular disease. It is a result of constant irritation of the eyes and working in poor light.

The mine workers admit that too few of them save any of their earnings to tide them over the rainy days that always come, often pretty early, in the coal industry. Miners are notoriously free spenders. Most of the rank and file admit making good money the past several years, although not many have tucked it away. They usually have big families, and reputedly are suckers for every salesman who comes along. A young man like Mr. Sexton, however, hardly could have saved enough to have helped him very much.

On the other side of the picture, Lawrence Runyon, superintendent of the Premier Pocahontas Collieries Co., Welch, took us by to see one of his company's pensioners. He was Monk Swan, 80-year-old colored man, who came to work for the firm in 1901. He had been a coal loader. He lived in a neat house which the company furnished free along with coal, lights, and \$40 a month spending money. He was making out all right.

"Here's this man I was telling you about who came by to take you to Washington tomorrow," Mr. Runyon told the old man.

"No, sir, boss," he replied. "Postpone it or veto it. Veto it until the next day."

PENSION CASES CITED

Mr. Runyon said his company had others on pension, but that most of the companies did not have them. For one thing, a majority of the miners do not seem to work for one firm long enough to be eligible for a pension. Then, hundreds of companies are operating now because of the abnormally great demand for coal. They operate costly thin seams of coal on a shoestring and most

likely will not be in the business after the industry's backlog of orders is met.

Many miners claimed "we do not get our money's worth" in medical care and hospitalization, but they were not very clear when asked for amplification. Most of the big companies employ doctors, just as they own the stores, movie houses, recreation halls, and other facilities about the mining camps. The miner pays so much a month and in every case we encountered it was voluntary.

There were shortages of doctors and hospital space, but that is true of Washington and other parts of the country. A coal operator in Kentucky with four mines employed two doctors to care for 1,200 miners and their large families. He admitted the need for two more and said he was trying to get them. Welch, a town of 7,000, has four hospitals, three reportedly good ones. But space is at a premium because Welch is the center of more than 100 mines.

INSURANCE AVAILABLE

The charge generally made for care from the company doctor appeared to be \$1.50 a month for a single man and \$2 for married, with treatment for venereal diseases and maternity cases extra. Hospitalization costs the miner \$2.25 a month, burial fund, usually handled by the union, \$1. Larger companies made group health and accident insurance available to their workers. The Premier Co., cited above, charged \$3.40 a month for insurance that paid \$10.50 a week to the average inside mine worker, plus a \$500 death benefit. They said 88 percent of the men carried it, a percentage that seemed high for the coal fields generally.

West Virginia, the mine workers say, has a more liberal compensation law and more stringent safety regulations than Kentucky or the coal-mining States of the South.

Workmen's compensation only recently was made compulsory by the Kentucky Legislature following the explosion at Pineville, in which 25 miners lost their lives. The men left more than 100 widows and children. The mine operator, the Kentucky Straight Creek Coal Co., carried no compensation. The dependents were left without support.

In the course of the survey we visited the Pocahontas Fuel Co. funeral home at Pocahontas, Va., which was accused by the United Mine Workers of "body-snatching," taking over the bodies of miners without authorization of the families.

W. W. Edwards, home manager, said his men acted only on direction of the coroner or the family of the deceased. He showed his books and offered to show his equipment, which he claimed was the most modern in the entire area. In the past year, the company establishment handled 150 funerals, including those of 5 miners killed at work.

DIDN'T GIVE CONSENT

We did interview a miner, however, who said the body of one of his children who died in 1941 was taken to the funeral parlor without his consent. He said the company doctor ordered the body removed from his home.

Another of the miners' charges in opening negotiations was that some West Virginia company doctors charged \$5 more for delivering girl babies than for boys. We found no evidence of it. The best explanation seemed to be that company doctors charge nonemployees \$5 additional for all deliveries.

Miners interviewed during the survey were forever grousing about the number of deductions from their bimonthly pay envelope. At McComas, W. Va., Frank Lunsford, 42, scurried up to his house and brought back two of his envelopes. He worked for the Pocahontas Fuel Co., and said he had been a miner 26 years. He is married and has three children. Two others had died.

An envelope dated March 24 showed he had worked 108 hours and was credited with \$127

pay for the 2 weeks included. It recorded the following formal deductions:

Credit checks, said to be scrip expendable only at company stores and other establishments, \$14; store account, \$25.15; rent, \$6.50; lights, \$2.22; coal, \$1.40; hauling the coal, \$1; hospitalization, \$1.10; doctor, \$1; Red Cross, \$1; bonds, \$3.25; burial fund, 80 cents; union dues, 80 cents; social security, \$1.27; and withholding tax, \$3.30.

This left him \$33.21. But over at one side that figure was noted and \$21.89 subtracted from it. That left him a cash balance of \$11.32. The final big deduction was not explained, so we asked Mr. Lunsford what it was. He said the company told him it was "overdraft" and he professed to know nothing more about it. The best explanation we got was that it represented bills the man ran up with the company after the envelope was made up.

"This envelope here," said Mr. Lunsford, "doesn't include my insurance (health and accident). They took out \$3 for that the first pay period of the month."

Most of Mr. Lunsford's deductions, it will be noted, represented halves of monthly charges for the various items and services. Most of the miners have the same deductions, except that his company deductions were much larger than the average.

[From the Washington Post of May 8, 1946]
"LIKE TWO JIMA"—REPORTER FINDS APPALACHIAN MINING CONDITIONS APPALLING

(By Agnes E. Meyer)

HARLAN, KY., May 7.—I have just been through the bituminous coal areas of the Appalachian Mountains, where the fatalities read like battle reports from Two Jima.

Since the Christmas disaster at Fourmile, where 20 miners were buried alive, 27 miners have been killed by other accidents in this area. From 146 to 180 miners are killed in Kentucky every year. In 1944, 10,000 out of 67,000 coal miners were injured in major industrial accidents in Kentucky; only 6,338 received compensation, usually inadequate. According to the Federal Bureau of Mines, in the last 35 years, 66,140 men were killed in the anthracite and bituminous fields, an average of 1,889 men per year. Why does the Nation countenance such wholesale slaughter in one of its most essential industries?

These miners need a welfare fund, though it is a question who should control it. They need much more than that. They need a chance to live like human beings. They need a chance to escape from the pigsties they are forced to inhabit. They need health instead of filthy water supplies, insanitary toilets, bad odors, flies, mosquitoes, and the diseases that result from them. They must be assured a living wage. They are entitled to safe working conditions instead of being forced to walk daily into a death trap. Above all things, they need to be freed from some of the most vicious operators and politicians that have ever turned American citizens into slaves.

Before I describe the horrors, the injustices, and the terrorism I have witnessed in the Tennessee-East Kentucky area, it is only fair to say that I know the conditions in the Pennsylvania bituminous regions. Conditions there are a veritable heaven in comparison with the hell in which I spent last week.

This Appalachian area is notoriously the worst mining district in the country. In the whole region there is but one first-rate operation. It is Lynch, Ky., run by the United States Steel Co. There are five, possibly six, others that are fairly good. The rest in varying degrees are a disgrace to the industry and to the Nation. Daily they threaten the well-being of some 70,000 men and their families in Kentucky and Tennessee, or, given the high birth rate, nearly 400,000 people.

I began my tour of the bituminous coal region at Fourmile, near Middlesboro, Ky., where the explosion occurred last Christmas that shook the whole country. Twenty heads of families are still entombed. The mine has been sealed to extinguish the flames and cannot be reopened as yet. Five men escaped, one of whom died subsequently.

I interviewed three of them, one in the hospital. None of these men will ever work again as miners. Their hearts are bad; their bodies poisoned by coal gases. Neither they nor the families of the dead have ever received a cent of compensation from the mine owner. They had all signed the usual compensation contract, which had been presented by the mine company as though it was providing compensation. It was a fake. Actually no compensation was in force at the time of the accident.

SUPPORTED BY CHARITY

The mine workers are now pressing State officials to start criminal action against the mine owner. The 25 families are being supported by charity. A fund of \$120,000 raised by popular subscription and distributed at the average rate of \$120 a month per family will last them a little more than 3 years. After that the widows, wives, and numerous children will have to depend on the charity of the United Mine Workers.

The UMW tried to pass the same safety laws in Kentucky that exist in Pennsylvania, Ohio, and Illinois, but the operators defeated the bill. The coal-company lawyers have drafted all the Kentucky mining laws until the last legislature passed a slight modification of the compensation act. Heretofore all compensation for death or injury has been left to the good or bad will of the operators.

Why did the accident at Fourmile occur? Because the operator, to save a few dollars, shut off the fan that forces oxygen into the mine on the Saturday before Christmas. On Christmas night, 4 days later, the fan was turned on again. When the men went in the following morning, the accumulated coal gas ignited. Had it not been the Christmas season, about 100 more men would have been trapped. Mine operators such as this one—and they are plentiful in this area—daily risk the lives of their workers to get all the money they can in a short period. They are taking it out of the lives of the men instead of thinking about good ventilation and general efficiency.

UNFIT FOR HUMANS

At Fourmile I began my study of the miners' living conditions. The company houses are hovels so abominable that no human being should live in them. The roofs leak, the wind blows through crevices in walls and floors, the destruction and filth of generations are everywhere evident. Two families had lived for 30 years right at the mouth of the mine. These shacks with a local lumber supply had cost less than \$50 to \$75 to build originally. Yet these families for 30 years had paid first \$6, then \$9, a month, or some \$3,000 in all, for this abomination of a house and for the privilege of working from father to son in daily risk of their lives when they entered this mine.

There is no running water in such camps. One family uses a dirty trickle of a stream that comes from the hill where pigs run and cattle graze. Others use moldy, polluted old wells. Many walk blocks to the nearest source of water, which may be a clean spring in the higher locations or a dirty one if it is in the valley. The open outdoor toilets are often near the water supply. Refuse lies in the streams and in the all-pervasive mud.

The small children in these families are undernourished and scabby faced, either with skin diseases or filth. The miserable commissary in this mine has an inadequate variety of foods. Other stores are miles away. From 5 to a top of 32 children are crowded into these houses.

NO SIGN OF DISCIPLINE

The four-room school is battered and pitiful, but far better than it used to be. Two young teachers do their best to instruct about 150 children, of whom some 30 were in school. The others were playing hockey, as they usually do. Most of them drop out at the fifth or sixth grade. No vestige of discipline is discernible in the children nor the adults. Women in filthy clothes were rocking on the porch while the ragged, half-naked little ones played in the mud puddles that filled every depression after a rain.

These families were poor, illiterate mountain folk when they left the isolated hills for the insulated mining camps. There they have lived as virtual slaves before the union fought its bloody battles with the operators' sheriffs, gunmen, and gangsters, to ultimate victory and an organization which has been strong only the last 2 or 3 years. These mining families have never known what it means to have possessions, freedom, decency, and dignity even in better camps than Fourmile. The young men who grew up in the years of depression, want, and idleness, and then went to war, have never had a life.

Unlike the miners and mining families whom I interviewed in Pennsylvania, these folk have lived so long in isolation, fear, and suspicion that they are defensive, if not hostile, with a stranger. If my sympathy pierced their unresponsiveness, the more intelligent ones would show me their houses with a fierce indignation. But the groups of men idling about here and there, playing cards on the commissary steps, would never so much as look up at me when I began talking to them. They would answer my questions warily and distrustfully, out of one corner of the mouth, while they continued their games of penny ante.

THEY HAVE NEVER LEARNED

What a newcomer feels at once is that these people have never learned to be responsible for their own lives. Most of them never handled money before the union invasion, because they were permanently in debt to the company store. Now that they get more money, they spend it often before pay day. The management of money, of a budget, a desire for cleanliness, health, order, and self-development cannot be learned overnight.

[From the Washington Post of May 9, 1946]
STRIKERS UNAWARE OF PUBLIC OPINION—REPORTER PRESENTS MINERS' VIEWPOINT ON WAGES, WELFARE

(By Agnes E. Meyer)

HARLAN, KY., May 8.—The country at large must try to understand the slowly mounting tension of the striking miners in the Appalachian area and the reasons behind this smoldering impatience. At first they enjoyed a chance to rest. These men had been working 9 hours a day, 6 days a week to meet the increased demands of war production. Through sheer patriotism the Big Sandy area, with less men, doubled the output of the mines.

The miners were tired and took to fishing and hunting at the beginning of the strike. But their mood is changing. They cannot understand why their demands for a living wage and a minimum of safety provisions should not receive immediate recognition. Public opinion and popular indignation over the gradual stoppage of the wheels of production throughout the Nation scarcely reaches them in their incredible isolation. They want to go back to work. But said they: "We have already used up the funds of the local union and we will use up every cent of our accumulated war bonds, before we will accept defeat of what seems to us the most elementary justice."

At a camp near Harlan I asked the miners and a group of local labor leaders what they

expected to get out of the strike. "We want a living wage," they said, "enforcement of adequate safety provisions, and a welfare fund to take care of the families of the boys who get killed or disabled. During the war," they explained to me, "we got \$10 per day for 9 hours' work, 6 days a week, portal to portal—or \$63.50 for 54 hours. Now that the war is over we are afraid the 7-hour day and the 5-day week will be restored, which means a basic salary of \$35 a week under the 1941 contract, or a substandard wage for the hardest, dirtiest work in all industry. In most of the mines about 40 percent of the men are on this daily rate of \$1 per hour, and 60 percent are on the tonnage rate of 65 cents per ton. These skilled men used to get higher wages than the men on the day rate and some still do if they work in a high-grade mine. If the tonnage men have a poor streak of coal, they often get less than the men on daily rates."

They then showed me the company's pay sheet at the Black Mountain Coal Co. for the last 2 weeks before the strike. For 10 working days the tonnage men of equal skills ranged from \$41.91 to \$123 because of the different physical conditions they happened to encounter. "On the average throughout the year," they continued, "the tonnage men make about what the men on daily rates are getting but the tonnage men hate the big variations in their pay. If they go back to the 7-hour day and 5-day week, they will also make only about \$35 a week, plus travel time."

"We were having a hard time feeding our children on \$35 a week before the war. With the high cost of living, the men and their big families can't possibly exist on that kind of a wage scale. As our industry is the lowest paid and one that is indispensable to the country's welfare, we think we are entitled at the very least to a 20-percent increase for the day rate and the tonnage men. That will give us take-home pay equivalent to the increased cost of living as recognized by governmental agencies. It would only give us the same purchasing power we had in 1941."

"Every bit as important to us," continued the men, "is the enforcement of safety laws with teeth in them. The Department of Mines and Minerals in Kentucky is run by the operators to suit themselves. There is no union deputy among the nine mine inspectors. Our union inspectors pass the examination but they never get appointed to the board. Our mining laws are bad with plenty of loopholes. The law says that the mines should be inspected four times a year. This is not being lived up to. Our union investigator reported to the Committee on Mines and Mining, which was considering recodifying the safety laws, that the mines have been inspected once every 8 years instead of four times a year."

"The Federal reports of the Bureau of Mines showed that 99 percent of the mines of the east Kentucky area are not rock-dusted, which is an elementary protection against coal dust. Eighty-two percent of them are dangerous because they have bad air. Permissible or sealed machinery which is the only safe kind, does not exist in our mines. The operators defeated a bill which made this safe kind of machinery compulsory. In addition the electric wires are not protected. It wears a man out just to dodge the live wires all day."

"We asked for 30 inches of clearance between the mine walls and the cars. It was refused by the operators, although extra room in the mine actually adds to its efficiency. The men are always in danger and always have to be on the alert. Yet the mines down here could provide the best working conditions because the coal in our area is the finest in the whole country. It is premium coal which commands the highest price. We are sure that the public, if it knew what was going on, would rather have a slight increase in the

price of coal than the wholesale murder of miners that now goes on in this State."

CALLS OPERATORS GREEDY

"What the country doesn't realize," said one miner with livid indignation, "is that the greed of the coal operators exploits not only the workers but the natural coal resources of Kentucky. Anybody can start a mine here on a shoestring. The operations are inefficient and wasteful, skimming the cream from the coal mines for a quick monetary return, then abandoning them for other veins. These operators are using up the Nation's substance. As the Kentucky Legislature has always been dominated by the operators, there has never been a tax on coal and all our State gets for its natural wealth is a lot of holes in the ground."

"Yet people are blaming John Lewis for asking for a 10-cent tax on every ton of coal for the welfare fund. If it had not been for the war, we workers would have insisted upon this welfare fund long ago. Without it we live at the mercy of a bunch of operators who are the worst in the whole country. A fairly decent compulsory compensation law was actually passed by the legislature several years ago but the State Supreme Court at the behest of the operators declared it unconstitutional. The last legislature has passed another compensation law. It isn't enough but it is better than nothing. This will become the law on June 1 next unless the Supreme Court of Kentucky throws it out again."

"We think that the miner and his family should be covered by a national insurance policy. We should have a medical and hospital system that will be recognized as sufficient by outstanding medical authorities. At present we pay \$2 for hospitalization and \$2 for medical care for a man and his family. But what do we get for it?"

I had discovered at Middlesboro what a racket the operators have made of the medical fund. There are two hospitals in this city of 40,000 people, one of them so atrocious that the miners avoid it. It has over a hundred beds and not a single registered nurse. The other one of 50 beds has just been taken over and renovated by six doctors. It has good facilities and an adequate nursing staff, five of whom are graduate nurses. But these two hospitals also take care of the general public. At the good hospital I was told the care of the miners was so expensive that the doctors would demand a raise in the insurance rate. Yet the 20,000 mining families in this one area pay \$80,000 a month in health insurance."

The company doctors are also unpopular with the workers. At one mine the doctor was a dope addict. Yet the company would not dismiss him until the miners broke their contract, went on strike, and defied the international rather than go back to work before this doctor was removed."

BAD SITUATION

"The worst part about the check-off system for medical care is that the doctors in all of these hospitals are practically in the pay of the operators," said the miners. "These medical men determine how much compensation a man should get when he is injured and whether he is fit to go back to work or not. That is a bad situation. There are many cases when these doctors minimize the compensation; or they say a man is fit to go back to work although he cannot stand the strain of his old job. When he fails to make good, he is simply thrown out as useless."

"With a welfare fund and the \$4 that we pay monthly for medical care, our unions could operate first-class hospitals and engage their own doctors."

"We also want to use this welfare fund for a rehabilitation program for the thousands of injured miners. With retraining most of these men could be restored to useful occupa-

tions. The permanently disabled who now receive a compensation of \$15 a week, would get supplementary aid through a welfare fund."

Another way by which the miners could be assured of a welfare program would be through a State tax of 10 cents on every ton of coal mined in Kentucky. Yet the politicians of these mining areas have been so completely under the domination of the operators that the miners, with good reason, do not trust them. They are convinced that a State welfare tax on coal would never reach their families."

The miners are thinking only in terms of their acute needs. Yet nobody who realizes the power this welfare fund would give the United Mine Workers Union over its membership can be reconciled to its complete control of these funds. Perhaps the solution is a Federal bureau similar to the Railroad Retirement Fund with advisory representation from the unions and management."

The welfare program which the miners outlined is the barest minimum of what they need. Where does one start welfare work for people who have nothing—no decent homes, no sanitary facilities, no chance for cleanliness and no possibility of escape from the most appalling of the many appalling social situations I have seen in this democracy of ours?

Just the amount of maternal and child care needed in these mining towns staggers the imagination. I could get no figures on maternal deaths but the infant mortality rate is 100 or more out of every 1,000 live births. And what have the children that live and grow up in these surroundings to look forward to? A life so barren, so devoid of opportunity for health, for education, for recreation, for ordinary human happiness—yes, so devoid of hope that it is heart-breaking."

Mr. O'DANIEL. Mr. President, I wish to discuss for a few minutes House bill 4908, which is the pending measure before this body. I am very glad that we have finally gotten around to giving consideration to legislation of this nature. I think it is high time that something be done along this line.

Mr. President, no one is today or ever has been a more sincere friend of labor than I am. I believe in the right of labor to organize, the right to bargain collectively; likewise I believe in the right of labor to strike. But I do not believe that any group of our citizens, whether they be laboring men or businessmen, should be immune from observing the law as it applies to all other people.

When I was Governor of the State of Texas, the great wave of strikes was sweeping over the country. The sit-down strikes, first promoted by the Communists in Paris and later adopted by the CIO in America, were in full bloom. I felt that, as Governor of Texas, I had an obligation to the great rank and file of the people and that I had an obligation to the laboring men within that State to do what I could to protect the individual workman and to protect society generally against labor racketeers and against the goon squads that were becoming so active.

Therefore, in a message to the Legislature of the State of Texas, I recommended that a law be enacted which would outlaw force and violence as a means of winning labor disputes. The legislature followed my advice; it enacted a law which makes it a felony in

Texas for any man or for any group of men to seek by the use of force and violence to prevent any other person from following a lawful vocation. This law has proved its value within the State of Texas; violence in labor disputes has practically been eliminated within that State. I am thankful that since Texas pioneered the way in the passage of this legislation, some other States have passed similar legislation.

Since I was elected to the United States Senate I have tried to point out the need for the enactment by the Congress of sound and constructive labor legislation.

I introduced a joint resolution proposing a constitutional amendment which would outlaw the closed shop. I do not believe that any sound argument can be made for allowing a labor union and an employer, acting jointly, to negotiate a contract which would force workmen to affiliate with the union even though they may not desire to do so.

As I observed the working of the National Labor Relations Board and as I studied the report on the activities of that board as issued by the Smith committee, I was impressed with the fact that it was absolutely essential to the welfare of the American people that the Wagner labor law be amended. Legislation which I have proposed in the Senate, if enacted into law, would not only make it illegal for employers to use force and coercion to prevent employees from affiliating with labor organizations, but it would likewise make it illegal for labor unions to use force and coercion to require membership in their organization.

I proposed another amendment to the Wagner labor law which would permit the employer, so long as he did not use threats, to discuss frankly with his employees any labor situation which might arise, and express to his employees his opinion on such matters.

I introduced a bill which would outlaw the use of force and violence in all labor disputes.

Consistently, ever since I have been a Member of the United States Senate I have urged the importance of legislation along these general lines. Some time ago when a labor bill was introduced in the Senate by the Senator from New Mexico [Mr. HATCH] and the Senator from Minnesota [Mr. BALL], which sought to improve the general labor situation in America, I announced on the floor of the Senate that while there were some provisions of the bill I did not absolutely like, I would be delighted to support the bill if it came up for consideration. But at the same time I expressed the opinion that it was not likely that the bill would ever come out of the Committee on Education and Labor of the United States Senate.

Some days ago we received from the House of Representatives what is generally referred to as the Case bill, and, under the pressure of existing labor conditions throughout the United States, the Senate Committee on Education and Labor finally reported the bill which we now have under consideration. And I state frankly that I think the country would be far better off not to have any labor legislation than it would if the Congress

were to pass this bill which was reported to the Senate by the Committee on Education and Labor.

This bill, in the form reported by a majority of the committee, sets up a system designed to strengthen the mediation machinery of the Federal Government, and probably this feature of the bill has some merit, but in the form it was presented I doubt that it has very much merit. But the crowning irony of all legislation I have ever seen proposed to the United States Senate appears in the provision in this bill that if labor union goon squads, racketeers, and hijackers go out on the highway and interfere with the movement of perishable farm products they may be prosecuted.

Under the Senate committee's version of the bill, if a farmer was hauling a load of watermelons to town and labor racketeers interfered with his delivery of the watermelons they could be prosecuted; but, on the other hand, if he had a load of cotton on the truck and was trying to get it to town they could not be prosecuted because cotton is not a perishable product. In other words, the Senate Committee on Education and Labor not only went on record as wanting to confine the illegal acts of the goon squads and the racketeers strictly to the movement of farm products, but they went further and provided that those men could be called to the bar of justice only in cases where the products being moved were perishable farm products.

If the Senate of the United States were to pass the proposed legislation in its present form it would thereby be going on record as believing these labor racketeers and these goon squads had the right to congregate on the highway and stop the movement of any and all goods except in one limited case, and that would be in the movement of perishable farm products. I say in all sincerity that I think it would be a disgrace for the Senate to pass such legislation, and I ask this question: Since when did it become good legislation to restrain the use of force and violence on the part of one group of citizens under one set of conditions and permit it under all other conditions?

I have read very carefully the minority views on H. R. 4908, the Federal Mediation Act of 1946, as filed by the Senator from Minnesota [Mr. BALL], the Senator from Ohio [Mr. TAFT], and the Senator from New Jersey [Mr. SMITH]. In my judgment, the minority views embody some sound, constructive thinking. Senators who have taken time to read them will understand that they do not in any sense, nor can they by any stretch of the imagination be construed as limiting any legitimate right of any individual workman, or of any labor union.

The six amendments proposed by the minority of the committee, if enacted into law, would most definitely improve the law as it applies to labor problems in the United States. They set up what I regard as a reasonable provision covering mediation and arbitration, with reasonable limitations on the right of workmen to strike in certain industries of National importance.

The amendments seek to say to organized labor that the United States

Government has, by law, required employers to bargain with their employees, and, if possible, to agree on written contracts and, therefore, the Government now says that in those cases where, through collective bargaining, agreements are made, it shall become the responsibility of labor to see that the contracts are carried out, and labor is made responsible for obeying the contracts which it has voluntarily entered into.

These amendments recognize that the secondary boycott is being used throughout this Nation today as a means of coercion and force. It is a well known fact that the secondary boycott is being used between rival labor organizations where the product of an employer is boycotted because it is made by some other organized group. Likewise it is being used to boycott the product of an employer if his employees have not seen fit to affiliate with any organized group. Certainly, it is the business and the responsibility of the United States Senate to enact legislation which will protect employers in their right to make labor contracts with any labor union they may see fit, with the assurance that they and their product will not be barred from the market because some other union is not satisfied.

Certainly, employers are entitled under the law to such protection. Certainly, if the employees of a given manufacturer have elected to work without being members of any labor organization, they have a right to do so and no other group has a right to apply the force of boycott to take away from such employees the right to decide what they will and what they will not do.

The proposed amendments to this bill seek to protect employees in their right to decide what they want to do within the field of labor relations. They seek to protect the employer in his rights and, in fact, they seek to protect all citizens against the boycott being used as a means of building up the power of labor bosses and labor racketeers. If the amendments to this bill are enacted into law, unions hereafter will not only be permitted to make labor contracts, but they will be required under the law to carry them out in good faith.

I would not say that the six amendments which are proposed to this bill will cover all the evils in existing law, but I think that they are constructive, and represent the irreducible minimum of legislation which the Senate can afford to pass at this time. So far as I am concerned, if we must choose between the bill as it was reported by the majority of the Committee on Education and Labor and no legislation, then I shall vote for no legislation.

It seems to me that the United States Senate, if it refuses to accept these amendments, will place itself in a very awkward position. How could we, as Senators, justify voting for a law which would make it illegal for hijackers to go on the highway and stop a truck hauling perishable farm commodities, but would not make it illegal for them to do the same thing if the truck happened to be loaded with manufactured goods?

When laws passed by the Congress of the United States require that employers,

whether they want to or not, must bargain collectively with unions, and enter into contracts if they can reach agreement, how can we justify refusing to vote for a law which will make such contracts enforceable?

When the antitrust laws of this Nation and the antiracketeering laws make it illegal for our citizens to enter into combinations in restraint of trade, and into conspiracies against the public interest, how can we justify refusing to make such laws applicable to labor unions when they are guilty of similar acts?

Under the law, the use of the secondary boycott is absolutely prohibited to all our citizens engaged in any line of business. Why should we refuse to make the law applicable also to members of labor unions?

Under the provisions of the Wagner labor law, if the supervisor or the foreman in an establishment makes any comment critical of a labor union, the employer is held responsible for such act on the theory that the foreman or supervisor is a part of management, and, therefore, the employer is responsible. Under the existing ruling of the National Labor Relations Board, it is held that the employer must, if called upon to do so, enter into collective bargaining with those foremen and supervisors. In other words, we ask the employer to recognize a part of management as being a part of labor unions, and then we hold that the employer is responsible for the acts of these persons who are a part of management.

Certainly such conclusions are unsound and represent a situation which places the employer in such a position that it is impossible for him to know what he may do and what he may not do. I fail to see any good reason why we should refuse here in the Senate to make clear by law that supervisory employees and foremen, upon whom management must rely in carrying out the work of management, shall not be subject to the provisions of the Wagner labor law.

I certainly hope that every one of the amendments suggested in the minority views on H. R. 4908 will be enacted into law. That will be at least a step in the direction of correcting existing difficulties.

Mr. PEPPER. Mr. President, will the Senator from Texas yield before he takes his seat?

Mr. O'DANIEL. I yield.

Mr. PEPPER. I have great respect for the knowledge of the able Senator from Texas of, let us say, agricultural conditions in his great agricultural State of Texas. Suppose the agricultural workers of his State were to decline to work because they did not feel they had a satisfactory wage contract with their employer. What law does the able Senator suggest would be brought to apply to them in order to cause the work stoppage to be discontinued?

Mr. O'DANIEL. I think the answer to the question propounded by the able Senator from Florida is very elemental. It is well known that there should be no law to compel persons to work against their will in the United States, as our Government is organized.

Mr. PEPPER. All the amendments may, in the opinion of some Senators, tend to have some advantage of an indirect sort, but does the able Senator think that any of the amendments now pending would put the miners back into the pits and start the production of coal again?

Mr. O'DANIEL. I do not know whether the Senator from Florida followed my speech or not, but I made no reference to the amendments which are proposed to be offered to the bill. I spoke only on the bill as it came from the committee, and with reference to the majority report on the bill, and the views of the minority.

Mr. PEPPER. The able Senator does feel, does he not, that it would be in the public interest if we did have a conciliation and mediation and arbitration service, as the committee itself recommended? He might wish to go further, but he does think it would be in the public interest if we had it, does he not?

Mr. O'DANIEL. I think that if the employees and the employers desire arbitration, that is a matter for them to decide. I think the Government is wholly without bounds in putting its finger in the pie.

Mr. PEPPER. The Senator means in insisting upon compulsory arbitration?

Mr. O'DANIEL. On enforcing compulsory arbitration.

Mr. PEPPER. I thoroughly agree with the able Senator, and of course the Senator is aware that is not recommended by the committee in the committee bill.

Mr. O'DANIEL. Yes, I am fully aware of that.

Mr. PEPPER. I thank the Senator.

THE RETAIL LUMBER BUSINESS AND THE OPA

Mr. HICKENLOOPER. Mr. President, I should like to call the attention of the Senate to two recent activities of the OPA which have caused much concern and considerable difficulty. I received a letter this morning from a lumber company in Des Moines, in my State, which reads as follows:

I know that you receive loads of letters from Iowa lumbermen protesting the various orders issued by OPA, which are damaging to the retail lumbermen, and while I do not wish to further burden you with correspondence concerning matters with which you are thoroughly acquainted, I do want to call your attention to a recent order put out by OPA which I believe to be the most damaging one which has ever come out of that organization.

That is the order whereby the manufacturers of lumber on the West Coast and elsewhere can open up retail yards and sell their entire output at retail prices instead of wholesale prices. In case you haven't seen this order it is Amendment No. 20 to Second Revised MPR 215.

Under this order the manufacturer can sell his lumber at an average of \$15 per thousand more than he can get by selling it to retail lumber yards. Under this set-up he can get from 30 to 40 percent more for his output than he would realize by following the long-established methods of selling it through retail lumber yards.

With the tremendous demand which exists on the west coast it is obvious that the yards

in this section are going to get very little, if any, lumber.

To show you the attitude of the manufacturers I quote you as follows from two prominent west coast manufacturers, in letters which I received from them during the past week.

Mr. President, I shall set forth his quotation from one of them:

"Frankly, my partners are now in Los Angeles trying to get a location for a retail yard, and if successful, we would not be interested in any proposition in the Middle West."

I shall now quote from the second letter:

"The mills are all opening retail yards at their own plants or close thereto and their lumber will largely, if not entirely, be sold locally or to trucks which come there from long distances and get it, and the Middle West and East—

Bear in mind, Mr. President, this is the statement of a mill operator and owner talking about the lumber situation in the Middle West and East. This producer says:

"And the Middle West and East will get less lumber than they have been getting, and therefore I would say that the retail dealers east of here have something to worry about."

I continue with the letter:

This order was issued, according to my thinking, because it was impossible for the OPA to enforce the previous order whereby mills and wholesalers couldn't enter the retail business.

The damage which this order will do to the millions of dollars invested in the retail lumber business in Iowa and other Midwestern States cannot be estimated, but I believe that you can understand that it will be tremendous.

If along the line you can do anything to correct this very bad situation, I am sure that you will have the everlasting gratitude of the hundreds of Middle West lumbermen.

With very kind regards, I am,
Yours very truly.

Mr. President, I have a news release of April 22 containing amendment No. 20 to the second revised MPR 215. I ask unanimous consent that the letter I have just read, in its entirety, together with the news release of the OPA, and with amendment No. 20 of MPR 215, and the statement accompanying amendment No. 20 of MPR 215, be inserted in the RECORD at this point in my remarks.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

ROBT. CONNOR LUMBER CO.,
Des Moines, Iowa, May 14, 1946.

United States Senator
BOURKE B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR BOURKE: I know that you receive loads of letters from Iowa lumbermen protesting the various orders issued by OPA, which are damaging to the retail lumbermen, and while I do not wish to further burden you with correspondence concerning matters with which you are thoroughly acquainted, I do want to call your attention to a recent order put out by OPA which I believe to be the most damaging one which has ever come out of that organization.

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entire output at retail prices instead of wholesale prices. In case you have not seen this order, it is amendment No. 20 to Second Revised MPR 215.

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With the tremendous demand which exists on the west coast it is obvious that the yards in this section are going to get very little, if any, lumber.

To show you the attitude of the manufacturers, I quote you as follows from two prominent west coast manufacturers, in letters which I received from them during the past week:

"Frankly, my partners are now in Los Angeles trying to get a location for a retail yard, and, if successful, we would not be interested in any proposition in the Middle West.

"The mills are all opening retail yards at their own plants or close thereto and their lumber will largely, if not entirely, be sold locally or to trucks which come there from long distances and get it, and the Middle West and East will get less lumber than they have been getting, and therefore I would say that the retail dealers east of here have something to worry about."

This order was issued, according to my thinking, because it was impossible for the OPA to enforce the previous order whereby mills and wholesalers couldn't enter the retail business.

The damage which this order will do to the millions of dollars invested in the retail lumber business in Iowa and other Midwestern States cannot be estimated, but I believe that you can understand that it will be tremendous.

If along the line you can do anything to correct this very bad situation, I am sure that you will have the everlasting gratitude of the hundreds of Middle West lumbermen.

With very kind regards, I am,

Yours very truly,

BOB CONNOR.

AMENDMENT NO. 20 TO SECOND REVISED MAXIMUM PRICE REGULATION 215—DISTRIBUTION YARD SALES OF SOFTWOOD, EFFECTIVE APRIL 23, 1946

The Office of Price Administration today eliminated the requirement that new distribution yards apply to OPA for permission to sell at distribution yard maximum prices. Now all that is required for a new yard is to file a statement with the nearest OPA district office indicating its qualification as a distribution yard.

Today's action, effective April 23, 1946, also has the effect of removing all limitations as to interests which can operate distribution yards.

At the same time the definition of a distribution yard is tightened so that mark-ups will be used only by authentic wholesale and retail yard operations. Prior to the action, applications from mills, lumber wholesalers, and affiliated interests to establish lumber distribution yards have been denied in order to prevent lumber which should be sold at mill prices from being routed through distribution yards and sold at the higher distribution yard prices.

Yards which have no mill connections and are entirely independent of a producing mill will have no difficulty in qualifying under the definition. Distribution yards which are part of mill operations may have to adjust their operations somewhat; they may have to establish separate bank accounts for the distribution yard, assign personnel to run the

yards without participating in mill operations, and keep separate records and inventories as well as profit-and-loss statements. However, if a combined yard-mill operation has not had sales of \$120,000 in any 12 months since January 1, 1943, this provision will not be applicable.

A location safeguard was incorporated into today's action in order to check the use of yards merely as a means of getting retail prices from lumber normally sold direct from mill to consumer.

The location provision prohibits the sale of carload quantities for rail shipment or any quantity by water at higher than mill prices if a distribution yard is connected with a producing operation by financial interest or family relationship and is located within 500 miles of the producing operation.

The action may result in some disadvantages to independent yards since it will permit an increasing amount of the available lumber supply to be routed through distribution yards having mill connections. These yards may find it difficult to purchase their lumber from mills which can be expected to open their own outlets of distribution. However, this action has the approval of the majority of members of the Softwood Distribution Yard Industry Advisory Committee. A suggestion that mill sales of lumber be earmarked, in relation to sales made in a base period, so that independent yards could be assured some direct-mill purchases, was not adopted after practically all elements of the retail lumber trade recommended that the restriction not be made.

OFFICE OF PRICE ADMINISTRATION—SECOND REVISED MPR 215—AMENDMENT 20—APRIL 23, 1946

(Document No. 54036)

PART 1425—LUMBER DISTRIBUTION—SECOND REVISED MPR 215, AMENDMENT 20—DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 215 is amended in the following respects:

1. Section 3 (a) is amended to read as follows:

(a) Transactions covered: This regulation covers all sales out of distribution yard stock of products covered by this regulation within the continental limits of the United States made by lumber distribution yards whether wholesale or retail, except that where a distribution yard has any connection, either financially or through family relationships, with any lumber producing operation, and such distribution yard is located within 500 miles of such lumber producing operation, sales of lumber for rail shipment in carload quantities or water shipment in any quantity out of stock of such distribution yard whether freight cost is borne by the buyer or seller shall not be covered by this regulation. Sales of lumber from distribution yard stock not covered by this regulation shall be subject to the applicable mill regulation governing the species sold.

2. Section 16 (a) is amended to read as follows:

(a) A distribution yard for the purpose of this regulation means an establishment which meets all of the following requirements:

(1) It obtains lumber from mills, concentration yards, wholesalers or other distribution yards and unloads, sorts, stores, and resells such lumber.

(2) It regularly maintains for sale an inventory of varied items, species, and classes of lumber, lumber products, and other building materials.

(3) It obtains its lumber, except for local species, mostly by rail or water and sells mostly for truck shipment, being stocked and equipped to make prompt delivery of different items of lumber items of lumber products out of its yard.

(4) It furnishes on all sales the usual distribution yard services, such as accepting returns, making exchanges, filling shortages from stock.

(5) It has an office and records at the yard site, is manned by a crew employed by the yard, and exclusively owns or controls all facilities of such establishment and uses the same for the handling and sale of the material bought and sold by it.

(6) It is a separate and distinct operation from any concentration yard or mill operation as defined in the applicable mill regulation governing the species sold. For purposes of this requirement, such an establishment is not a separate and distinct operation unless it maintains for its use, exclusive of use by any mill or concentration yard, the following separate facilities, site, equipment, personnel and records, for the handling and sale of material of the distribution yard: yard and shed, offices, yard help, sales force, managerial staff, stock of lumber, inventory records, books of account, bank account, detailed charges to inventory by price, grade, and sizes of items, and operating and profit and loss statements, none of which are used in connection with the operation of a mill or concentration yard as defined in the applicable mill regulation governing the species sold; *Provided, however*, That where a distribution yard has been continuously operating on the same site as a mill or concentration yard since prior to January 1, 1943, the requirement that it shall be situated at a separate site shall not apply, and provided further that where a distribution yard has been continuously operating on the same site as a mill or concentration yard since prior to January 1, 1943, and the total sales volume including all building materials of such combined operation has not exceeded \$120,000 during any 12-month period since prior to January 1, 1943, the requirement that the above-mentioned facilities need to be separately maintained shall not apply.

3. Section 16 is amended to add the following paragraphs:

(j) Financial connections: Financial connection means all circumstances of partial or total common ownership or beneficial interest, or profit or loss sharing arrangements.

(k) Family relationship: Family relationship means any person related to the seller or to the seller's spouse within the fifth degree either by blood or marriage.

4. Section 23 is amended to read as follows:

SEC. 23. New yards: Before making any sales of lumber at the maximum prices established by this regulation, any person who has set up or sets up a wholesale or retail distribution yard after December 31, 1942, but who has not received specific approval in writing from the Office of Price Administration of his use of the maximum prices established by this regulation on his sales of lumber must file with the Office of Price Administration District Office nearest the location of his establishment a letter reading as follows:

"I (We) propose to establish a lumber distribution yard as defined in section 16 of 2d Revised Maximum Price Regulation 215, Distribution Yard Sales of Softwood. This yard will be known as _____ (give name of company), will be operated as a _____ (wholesale or retail, specify which) lumber distribution yard, and will be located at _____ (give address of yard).

"(Signed) _____"

This Amendment No. 20 shall become effective April 23, 1946.

NOTE.—All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23 day of April 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS ACCOMPANYING
AMENDMENT No. 20 TO SECOND REVISED MAX-
IMUM PRICE REGULATION No. 215

This amendment revises the definition of a distribution yard, and at the same time eliminates the requirement that new yards apply to the Office of Price Administration for permission to use the distribution yard mark-ups provided by the regulation. Instead, a new yard will now merely be required to file a statement with the nearest Office of Price Administration District Office indicating that it is a bona fide distribution yard under the revised definition and that it intends to use the distribution yard mark-ups. Sellers who previously have restricted or limited approval from the Office of Price Administration and who qualify as distribution yards under the revised definition, after filing such a statement, will be able to sell at the distribution yard mark-ups authorized by this regulation without regard to the limitations previously imposed.

Prior to the issuance of this amendment, every yard newly established or acquired by new interests was required to apply to the Office of Price Administration for authorization to use the distribution yard mark-ups before selling at distribution yard prices. This provision was considered necessary in order to insure insofar as practicable that lumber which would normally be sold on direct mill shipments at the mill level of price would not be diverted unnecessarily through new distribution yards for the purpose of obtaining higher prices for such lumber and that lumber would not be diverted to new distributive channels connected with mills to the detriment of the buyer who normally obtained lumber in carload quantities directly from the mill. These applications were processed on the basis of objective standards applied uniformly and generally to all applicants. Under these standards, authorization to use the distribution yard mark-ups was granted only to yards which were free of financial or family connections with lumber producing or wholesaling operations. Such standards were intended to result in generally fair treatment for all applicants and at the same time achieve the primary purpose of the section which was to prevent unnecessary routing of lumber through distribution yards by the technique of setting up new yards.

The procedure has imposed a severe and growing burden on this Office, resulting in increasing difficulty in making the necessary investigations and acting promptly on the applications received. At the same time it has not been certain that the screening process sufficiently controls unnecessary diversion of lumber through distribution yards to justify the effort involved. A very high proportion of the large number of new yards approved have been located in the areas of important lumber production, raising a question as to whether unnecessary routing is not occurring despite the screening of new applications. Moreover, the scrutiny of new yards has not prevented established yards from acquiring interests in producing mills, or from routing through their yards an increasing volume of lumber produced by the mills under their control. To the extent that this seems to have occurred, limitations on the opening of new yards are discriminatory, and the purpose of such limitation is circumvented.

To relieve the administrative burden and remove the discriminatory features and yet accomplish the purpose of preventing unnecessary routing of lumber through distribution yards as effectively as possible, this action, while removing all limitations as to the interests which can operate new distribution yards, considerably tightens the definition of a lumber distribution yard that is entitled to use the mark-ups provided by Second Revised Maximum Price Regulation 215. Any yard which is entirely independent of a producing mill will have no difficulty in meeting the definition. Certain bona fide distribution yards which have mill connections may be required to adjust their operations somewhat, as by establishing a separate bank account for the yard, by assigning personnel and managerial staff which will devote their efforts to the distribution yard exclusive of any participation in management or operation of the lumber mill or other producing operation, and by keeping separate inventory records on yard stock, by preparing a separate profit and loss statement. Where total sales of the combined operation have not exceeded \$120,000 in any 12 months' period since January 1, 1943, however, these requirements for segregation of operations from mill or concentration yard operations do not apply, as it is considered an undue burden on such small operators who have historically functioned without separate establishments to be compelled to do so now.

All members of the Softwood Distribution Yard Industry Advisory Committee were requested to review these requirements. Except on one or two points there was unanimous agreement of those expressing an opinion that the requirements were not unduly onerous to a bona fide distribution yard, and with respect to these points a majority of the members responding agreed that it was proper to require compliance with them.

These requirements are expected to assure, so far as practicable, that the customary distribution-yard services normally offered in connection with the yard sales of softwood lumber are available to the purchaser and performed when required, and that lumber yards will not be used as an expedient for obtaining distribution-yard prices for lumber which is essentially sold direct from the mill to the consumer. Further to assure this, it is provided that a distribution yard connected with a producing operation by financial interest or family relationship and located within 500 miles of such producing operation may not sell carload quantities for rail shipment or any quantity for water shipment at other than mill prices. A yard located at a greater distance will necessarily be outside the principal producing area and located in an area of lumber consumption. It will have a local market for its lumber generally sufficient for its available supply, and there will be no need to make carload rail shipments or water shipments which are the type that should be supplied direct from the mill at mill prices and which, when made by a yard, as a frequent practice in common items, carry a presumption of unnecessary routing of lumber through distribution-yard channels.

It is recognized that this amendment, while assuring that lumber sold at distribution-yard prices is made through a bona fide distribution-yard sale, may, nevertheless, permit an increasing amount of the available lumber supply to be routed through distribution yards having some connection with a mill. This may operate to the disadvantage of other distribution yards and other purchasers without mill associations which normally obtained their lumber in carload quantities at mill prices. Such purchasers may find it increasingly difficult to obtain lumber except at distribution-yard prices

from yards associated with mills resulting in higher costs and greatly reduced margins for the independent yard. To the extent that distribution-yard prices permit an unusually favorable profit to the distributor of lumber assured of a direct mill supply, this possibility is enhanced. Despite this possibility, however, the provisions of this amendment have the approval of the majority of the members of the Softwood Distribution Yard Industry Advisory Committee.

As one alternative to this action, careful consideration was given to a provision intended to minimize the diversion of lumber to yards with mill connections by prohibiting yards associated with mills from selling at distribution-yard prices any larger amount of lumber produced by associated mills than was sold by such yards in a base period, with the effect of earmarking a definite proportion of the lumber produced for direct mill purchases in carload quantities for independent retail yards as well as large consumers. All elements of the retail lumber industry which have expressed themselves with respect to it have recommended that such a restriction not be made. In view of these recommendations and since such a restriction might require drastic readjustment of the sales allocation of some existing sellers, the Administrator has not adopted it.

Prior to the issuance of this amendment the Price Administrator has consulted so far as practicable with representatives of the industry and has given consideration to their recommendations.

All provisions of this amendment and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, methods, means, or aids have been included in the amendment unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the amendment or of the act. To the extent that the provisions of this amendment compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention of this amendment or of the Emergency Price Control Act of 1942, as amended.

In view of the above considerations, the Administrator finds that this amendment is necessary and proper and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended, and with the Executive orders of the President.

Issued this 23d day of April 1946.

PAUL A. PORTER,
Administrator.

Mr. HICKENLOOPER. Mr. President, I shall not burden the Senate with reading regulation No. 20, which went into effect on the 23d of April, but I shall state its effect. I do so because the OPA makes the same statement in its explanation, which will appear in their statement in connection with the order, namely, that they were unable to enforce their own regulation preventing producers, that is, the loggers and the log operators, from operating retail lumber yards. There was a regulation against that, but they admit here that they could not enforce it. Therefore what does OPA do? It abolishes the regulation, and now allows the wholesale producer of lumber to open up retail yards at will. He can sell all he desires, providing he does not sell in carload lots, under 500 miles from the location of

his factory, or his producing area, and he cannot ship it in shipload lots within 500 miles.

The practice has grown up, ever since that order went into effect, on April 23, for the great majority of lumber producers, instead of selling on the wholesale market to retail lumber yards throughout the Middle West and the East, to open up their own retail yards and sell their own products at retail prices, in locations near the lumber centers, thereby getting, not only the wholesale profit, if any, which they had been getting, but the entire retail profit as well, and the retail lumber dealer must either buy the lumber at retail, and then merely trade dollars, and pay the expenses of transportation, or not get it, and have to shut up shop.

The Middle West lumber dealer, the man who cannot truck the lumber, who lives so far away from the logging centers and the mill centers that he cannot truck, either is out of business today, or will be shortly, when his present supplies are exhausted.

OPA has now put the cap sheaf, in my opinion, if it continues this order, upon the shock of destruction of the retail lumbermen of the Middle West and East.

I suggest that in the consideration of OPA policy, and of what they are doing through the outlets and distribution centers of this country, Members of the Senate read carefully not only the order, but OPA's own explanation of its inability to enforce its own regulations which it once thought were good, but now is discarding, having gone over to the side of the "enemy," so to speak, and under which practice they are permitting the doing legally of the very things which a few weeks ago they said were atrocious, and were destructive of public morals under a price policy.

Mr. President, I wish to call to the attention of the Senate another activity of OPA. I have in my hand a form letter, one of a good many such letters which were sent out of the district office of OPA in the city of Des Moines. The letter is dated May 6, 1946. I have another such form letter dated May 7. I have several such letters. The ones I have seem to be dated May 6 or May 7. The letter is addressed:

A. I. MADDEN,
Insurance Exchange Building,
Des Moines, Iowa.

DEAR SIR—

Bear in mind, Mr. President, that this is a mimeographed form letter with blanks left at certain places in the letter to fill in the appropriate data applicable to the addressee. The letter proceeds—On February 20, 1946, a certificate of transfer was filed with your local board for a (new) automobile purchased by you. An investigation is now being conducted with reference to the sales made by—

And then there is filled in typewriting the name "Jensen-Dunn Co."

I call attention, Mr. President, to the last sentence:

An investigation is now being conducted with reference to the sales made by Jensen-Dunn Co.

The letter continues:

Will you please call at your local price-control board, 525 Sixth Avenue, Des Moines, Iowa, room No. 208, on May 10, 1946, at 2 p. m., bringing with you all papers in your possession pertaining to the above-mentioned automobile, so that a representative of this office can discuss the purchase with you?

If the time designated for your appearance is not convenient, will you please call your price-control board to arrange for a more convenient time?

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

MAURICE L. MERRITT,
Chief, Rent and Durable Goods

Enforcement Section.

(For the district enforcement attorney.)

I have a number of such letters which were sent to purchasers of new automobiles. The startling thing about this is that every one of them refers to a new automobile sold by as reputable automobile dealers as there are in the United States, by men that I know of, by business concerns that I know of, businesses upon which no stain of law violation or culpability has ever been placed. They are men who have built businesses over the years in that city. I have received only eight or ten such letters in response to the hurried request I made for them; but I am informed that the district office of OPA, by direction of Washington, is ordering these circular letters to be sent out, and I believe is also doing the same thing in Milwaukee, and I believe in certain areas in the South, literally charging responsible and decent businessmen, at least they are such in the eyes of their customers, with probably being law violators and criminals, when the customer himself has made no complaint, and has no complaint, and when in fact in most instances the OPA has never questioned the dealer, and when there is not in fact, so far as the dealer knows, any investigation of his activities or his sales prices. As I happen to know, because I have received communications from them, it has raised in the minds of a number of persons, the fear that perhaps this old-established company has suddenly become a criminal, a black-market operator, and that the new cars they bought, based upon ceiling prices, based upon regulations, may in some way involve the customers in some illegal act.

Mr. President, it is the most insidious assault and presumption of criminality directed against honest and decent businessmen by a Government agency, if you please by their Government, that I have ever seen. It smacks of the OGPU and the Gestapo.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. FERGUSON. Has the Senator been able to discover why these letters are being sent out? Does the Senator know what the real purpose of the OPA is in sending them out?

Mr. HICKENLOOPER. I will say to the Senator from Michigan that I have not received any explanation from the OPA. I received the letters only today. I have letters applicable to about five

different automobile companies in Des Moines. All of them are reliable business concerns. My information is that none of these automobile companies has been visited by an OPA representative or a checker; that the companies themselves have not been under investigation, so far as they know, and yet their customers of long standing come in in fear and trembling lest those with whom they have done business for many years in the past have suddenly become black marketers.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. FERGUSON. The reason for my inquiry was that I recall representatives of the OPA coming before the Committee on Appropriations on various occasions and requesting more money, with the statement that they needed the additional money for investigating purposes. I wonder whether this is not a case of their using money so appropriated to make investigations when there is no need and no cause whatsoever for making them, when there is not even, as we usually say, a suspicion that there has been a violation, let alone real evidence of one. We in the Senate should know if OPA is using the money appropriated to it to send out such letters as the Senator has referred to, asking the buyer of an automobile to come forward and make a report with respect to his purchase of an automobile.

Mr. HICKENLOOPER. And, I might add, raising the unjust suspicion in the minds of law abiding citizens that the business establishments which have been in existence in these towns for many years have become criminals.

Mr. FERGUSON. Yes. The tendency today on the part of OPA seems to be to want to discredit business. To go to a man's customer and inquire whether he has committed a crime could be one method and a very effective method of discrediting business. I do not believe that money was appropriated for the purpose of sending out such letters or for the purpose of discrediting honest, reliable businessmen in the sale of automobiles or of any other products.

Mr. HICKENLOOPER. I thank the Senator from Michigan.

Mr. President, as I have said, I have information that the same thing is being done in Milwaukee, Wis., and in certain places in the South, I believe in Georgia, and in many other places the exact location of which I do not now know. This act on the part of OPA may be likened, if such were the case, to the prosecutor of the District of Columbia in some way obtaining a customer list of the fine retail stores of the District of Columbia, and, without ever sending investigators into the stores, circularizing the customer lists, let us say of Woodward & Lothrop, or any of the other stores of the District, and saying to the customers, "The store from which you made these purchases is under investigation by OPA to see whether they have gouged you on prices or are guilty of criminal activities. Will you please bring in your records." It amounts to the same thing as

circulating the whole customer list of the store, when as a matter of fact no investigation had ever been instituted at the source of the alleged inquiry.

Mr. President, I say that it smacks of methods which are not American investigative methods; they are not methods within the accepted province and the accepted activities of American prosecutors. They are not methods which are calculated to inspire confidence on the part of the public, but are methods of Government confusion, Government fear, Government doubt, and Government oppression.

I do not have any doubt in my own mind that there are countless instances in this country of violations of automobile ceilings, but I will say that I think the overwhelming violations of regulations respecting sale and transfer of automobiles are occurring in what might be called the black market, fly-by-night field of operators in the automobile business, and not by the legitimate, well-established and long-established men of the community who have built their businesses and their reputations in the past upon public confidence. Letters of this kind will destroy the public confidence in legitimate businessmen and established firms quicker than any other method, for suspicion, over the signature of Government officials, is implanted in the minds of customers that their friend, from whom they have bought automobiles, and who is well established, may be a criminal. "We are investigating."

Mr. President, I shall have more to say later on this subject. I now ask unanimous consent to have printed in the RECORD the letter to which I referred, as an illustration of a number of such letters which I have received.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF PRICE ADMINISTRATION,
Des Moines, Iowa, May 6, 1946.

A. I. MADDEN,
Insurance Exchange Building,
Des Moines, Iowa.

DEAR SIR: On February 20, 1946, a certificate of transfer was filed with your local board for a (new) automobile purchased by you. An investigation is now being conducted with reference to the sales made by Jensen-Dunn Co.

Will you please call at your local price-control board, 525 Sixth Avenue, Des Moines, Iowa, room No. 208, on May 10, 1946, at 2 p. m. bringing with you all papers in your possession pertaining to the above-mentioned automobile, so that a representative of this office can discuss the purchase with you.

If the time designated for your appearance is not convenient, will you please call your local price-control board to arrange for a more convenient time.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

MAURICE L. MERRITT,
Chief, Rent and Durable Goods
Enforcement Section.

(For the district enforcement attorney.)

Mr. HICKENLOOPER. At this time I merely wanted to call the attention of the Senate to the activity and the meth-

ods that OPA is even now pursuing in these days of reconversion, and I call it to the attention of the Senate because I think it merits serious consideration and attention by Members of this body.

INCREASE IN COMPENSATION OF FEDERAL EMPLOYEES—CONFERENCE REPORT

Mr. DOWNEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1415) to increase the rates of compensation of officers and employees of the Federal Government, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'Federal Employees Pay Act of 1946'.

"INCREASE IN CLASSIFICATION ACT PAY RATES

"SEC. 2. (a) Each of the existing rates of basic compensation provided by section 13 of the Classification Act of 1923, as amended and supplemented, except those affected by subsection (b) of this section, is hereby increased by 14 per centum or \$250 per annum, whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation provided by such section.

"(b) (1) The proviso to the fifth paragraph under the heading 'Crafts, Protective, and Custodial Service' in section 13 of the Classification Act of 1923, as amended, is hereby amended to read as follows: 'Provided, That charwomen working part time be paid at the rate of 90 cents an hour, and head charwomen at the rate of 95 cents an hour'.

"(2) Such section is amended so as to provide the following rates of compensation for positions in the clerical-mechanical service:

"Grade 1, 90 to 97 cents an hour.

"Grade 2, \$1.04 to \$1.12 an hour.

"Grade 3, \$1.20 to \$1.27 an hour.

"Grade 4, \$1.35 to \$1.49 an hour.

"(c) The increase in existing rates of basic compensation provided by this section shall not be construed to be an 'equivalent increase' in compensation within the meaning of section 7 (b) (1) of the Classification Act of 1923, as amended.

"INCREASE IN PAY RATES FOR CUSTOMS CLERKS AND IMMIGRANT INSPECTORS

"SEC. 3. Each of the existing rates of basic compensation provided by the Act entitled 'An Act to adjust the compensation of certain employees in the Customs Service', approved May 29, 1928, as amended and supplemented, and those provided by the second paragraph of section 24 of the Immigration Act of 1917, as amended and supplemented, are hereby increased by 14 per centum or \$250 per annum, whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation.

"INCREASE IN STATUTORY PAY RATES IN THE EXECUTIVE BRANCH NOT UNDER CLASSIFICATION ACT

"SEC. 4. Rates of basic compensation specifically provided by statute (including any increase therein computed in accordance with

section 602 (b) of the Federal Employees Pay Act of 1945) for positions in the executive branch or the District of Columbia municipal government which are not included in section 102, as amended, of the Federal Employees Pay Act of 1945 or in the District of Columbia Teachers' Salary Act of 1945, and are not increased by any other provision of this Act, are hereby increased by 14 per centum or \$250 per annum, whichever is the greater, except that no such rate shall be increased by more than 25 per centum. Such augmented rates shall be considered to be the regular rates of basic compensation.

"INCREASE IN PAY RATES IN THE LEGISLATIVE BRANCH

"SEC. 5. (a) The first sentence of section 501 of the Federal Employees Pay Act of 1945 is amended by inserting before the period at the end thereof a comma and the following: 'plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) \$250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum'.

"(b) The second sentence of such section 501 is amended to read as follows: 'The additional compensation provided by this section and section 502 shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended.'

"(c) Section 502 of such Act is amended to read as follows:

"'ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

"SEC. 502. Each officer and employee in or under the legislative branch entitled to the benefits of section 501 of this Act shall be paid additional compensation at the rate of 10 per centum of the aggregate of the rate of his basic compensation and the rate of additional compensation received by him under section 501 of this Act.'

"INCREASE IN PAY RATES IN THE JUDICIAL BRANCH

"SEC. 6. (a) The first sentence of section 521 of the Federal Employees Pay Act of 1945 is amended by inserting before the period at the end thereof a comma and the following: 'plus (A) 14 per centum of his rate of compensation (including the additions thereto resulting from the application of the foregoing percentages), or (B) \$250 per annum, whichever is the greater, except that such rate of compensation shall not be increased by more than 25 per centum'.

"(b) The second sentence of such section 521 is amended to read as follows: 'The limitations of \$5,500 and \$7,500 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the eighth paragraph under the head 'Miscellaneous Items of Expense' in The Judiciary Appropriation Act, 1946 (Public Law Numbered 61, Seventy-ninth Congress), or in any subsequent appropriation Act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this section; and the changes in the rates of basic compensation in the Classification Act of 1923, as amended, made by section 405 of this Act and section 2 of the Federal Employees Pay Act of 1946 shall not be taken into account in fixing salaries under any such appropriation Act.'

"(c) Section 522 of such Act is amended to read as follows:

"'ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

"SEC. 522. (a) Each officer and employee of the Supreme Court of the United States entitled to the benefits of section 521 of this

Act shall be paid additional compensation at the rate of 10 per centum of the rate of his basic compensation. As used in this subsection the term "basic compensation" includes the additional basic compensation provided by section 521 of this Act.

"(b) The additional compensation provided by subsection (a) of this section shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended."

"LIMITATION ON AGGREGATE RATE PAYABLE"

"SEC. 7. (a) Section 603 (b) of the Federal Employees Pay Act of 1945 is amended by inserting after the words 'by reason of the enactment of this Act' the words 'or any amendment thereto'.

"(b) Notwithstanding any other provision of this Act, no officer or employee shall, by reason of the enactment of this Act, be paid with respect to any pay period, basic compensation, or basic compensation plus any additional compensation provided by the Federal Employees Pay Act of 1945, as amended, at a rate in excess of \$10,000 per annum.

"VESSEL EMPLOYEES"

"SEC. 8. (a) Section 102 (d) of the Federal Employees Pay Act of 1945 is amended to read as follows:

"(d) This Act, except sections 606 and 607, shall not apply to employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, to vessel employees of the Coast and Geodetic Survey, to vessel employees of the Department of the Interior, or to vessel employees of the Panama Railroad Company."

"(b) Section 606 of such Act is amended to read as follows:

"VESSEL EMPLOYEES"

"SEC. 606. Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, vessel employees of the Department of the Interior, and vessel employees of the Panama Railroad Company, may be compensated in accordance with the wage practices of the maritime industry."

"COMPENSATORY TIME OFF FOR IRREGULAR OR OCCASIONAL OVERTIME WORK"

"SEC. 9. Section 202 (a) of the Federal Employees Pay Act of 1945 is amended by striking out 'forty-eight hours' and inserting in lieu thereof 'forty hours'."

"NIGHT PAY DIFFERENTIAL"

"SEC. 10. That part of section 301 of the Federal Employees Pay Act of 1945 which precedes the first proviso is amended to read as follows: 'Any officer or employee to whom this title applies who is assigned to a regularly scheduled tour of duty, any part of which including overtime, falls between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian, shall, for duty between such hours, excluding periods when he is in a leave status, be paid compensation at a rate 10 per centum in excess of his rate of basic compensation for duty between other hours:'"

"PAY FOR HOLIDAY WORK"

"SEC. 11. That part of the first sentence of section 302 of the Federal Employees Pay Act of 1945 which precedes the proviso is amended to read as follows: 'Any officer or employee to whom this title applies who is assigned to duty on a holiday designated by Federal statute or Executive order during hours which fall within his basic administrative work-week of forty hours shall be compensated for not to exceed eight hours of such duty, excluding periods when he is in a leave status, in lieu of his regular rate of basic compensation for such duty, at the rate of

twice such regular rate of basic compensation, in addition to any extra compensation for night duty provided by section 301 of this Act:'"

"PAY RATES FOR GRADES 9 AND 10 OF THE CRAFTS, PROTECTIVE, AND CUSTODIAL SERVICE OF THE CLASSIFICATION ACT"

"SEC. 12. (a) Section 13 of the Classification Act of 1923, as amended, is hereby further amended by striking out the second paragraph relating to grade 9 of the Crafts, Protective, and Custodial Service and substituting therefor the following:

"The annual rates of compensation for positions in this grade shall be \$2,870, \$2,980, \$3,090, \$3,200, \$3,310, \$3,420, and \$3,530."

"(b) Section 13 of the Classification Act of 1923, as amended, is hereby further amended by striking out the second paragraph relating to grade 10 of the Crafts, Protective, and Custodial Service and substituting therefor the following:

"The annual rates of compensation for positions in this grade shall be \$3,200, \$3,310, \$3,420, \$3,530, \$3,640, \$3,750, and \$3,860."

"(c) With respect to grades 9 and 10 of the Crafts, Protective, and Custodial Service, the increase in rates of basic compensation provided by section 2 of this Act shall be computed on the rates of basic compensation established for such grades, as amended by subsections (a) and (b) of this section."

"GENERAL ACCOUNTING OFFICE"

SEC. 13. This Act and any other general legislation heretofore or hereafter enacted governing the employment, compensation, emoluments, and status of officers and employees of the United States shall apply to officers and employees of the General Accounting Office in the same manner and to the same extent as if such officers and employees were in or under the executive branch of the Government."

"PERSONNEL CEILINGS"

"SEC. 14. (a) Section 607 of the Federal Employees Pay Act of 1945 is amended by adding at the end thereof a new subsection as follows:

"(g) (1) In carrying out the provisions of subsection (b) of this section—

"(A) with respect to the departments (other than the Department of War and the Department of the Navy), establishments, and agencies (including Government-owned or controlled corporations) in the executive branch, the Director shall so determine the numbers of full-time civilian employees and the man-months of part-time employment on the basis of the relative needs of such departments, establishments, and agencies for personnel, that the aggregate number of such civilian employees (including the full-time equivalent of man-months of part-time employment) shall not exceed (i) five hundred and twenty-eight thousand nine hundred and seventy-five for the quarter beginning October 1, 1946; (ii) five hundred and one thousand seven hundred and seventy-one for the quarter beginning January 1, 1947; (iii) four hundred and seventy-four thousand five hundred and sixty-seven for the quarter beginning April 1, 1947; and (iv) four hundred and forty-seven thousand three hundred and sixty-three after June 30, 1947;

"(B) with respect to the Department of War and the Department of the Navy, the Director shall so determine the numbers of civilian employees (including the full-time equivalent of man-months of part-time employment) that at the earliest date practicable, but in no event later than July 1, 1947, the number shall not exceed one hundred and seventy-six thousand with respect to the Department of War, or one hundred thousand with respect to the Department of the Navy."

The numbers of employees specified in this paragraph shall be regarded as maximum numbers, and nothing herein shall be construed to limit the authority of the Director to establish lower aggregate numbers whenever, in his opinion, the numbers so specified are in excess of those necessary for the proper and efficient exercise of the authorized functions of the departments, establishments, and agencies to which this subsection applies. The procedural provisions of subsection (b) of this section shall be applicable with respect to determinations under this paragraph.

"(2) No provision of law heretofore or hereafter enacted authorizing the employment of personnel by, or appropriating funds for the compensation of personnel of, or conferring additional functions upon, any department, establishment, or agency, shall be construed to authorize the employment of, or payment of compensation to, a greater number of employees subject to this subsection than the number so determined by the Director with respect to such department, establishment, or agency unless such provision of law specifically authorizes the employment or payment of salaries of personnel in excess of such number, or exempts such department, establishment, or agency from the provisions of this subsection, and any such employment or payment not so authorized shall be deemed to be a violation of the provisions of section 3679 of the Revised Statutes of the United States (U. S. C., 1940 edition, title 31, sec. 665).

"(3) The provisions of this subsection shall not apply with respect to employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose. The provisions of subparagraph (A) of paragraph (1) shall not apply with respect to officers and employees in the field service of the Post Office Department or to officers and employees of the Veterans' Administration, but shall apply with respect to officers and employees outside the United States whose compensation is fixed in accordance with the Classification Act of 1923, as amended, and who are not excluded from the provisions of this section by the provisions of subsection (f). The provisions of subparagraph (B) of paragraph (1) shall not apply with respect to officers and employees outside the several States and the District of Columbia."

"(b) Effective October 1, 1946, subsection (f) of such section is amended by striking out '(1) employees of the War and Navy Departments except those who are subject to the provisions of titles II and III of this Act; or (2)'."

"APPROPRIATIONS AUTHORIZED"

"SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

"EFFECTIVE DATE"

"SEC. 16. This Act, except section 14 (b), shall take effect on July 1, 1946."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An act to increase the rates of compensation of officers and employees of the Federal Government, and for other purposes."

SHERIDAN DOWNEY,
HARRY BYRD,
B. B. HICKENLOOPER,

Managers on the Part of the Senate.

JENNINGS RANDOLPH,
HENRY M. JACKSON,
GEORGE P. MILLER,
EDWARD H. REES,
JOHN W. BYRNES,

Managers on the Part of the House.

Mr. DOWNEY. Mr. President, the conference report has been accepted by the House, and I move its adoption by the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LANGER. Mr. President, I wish the RECORD to show that as a conferee I did not sign the report.

The PRESIDING OFFICER. The RECORD will so show.

Mr. DOWNEY. Mr. President, the chief point in this conference report to which the attention of the Senate should first be directed is that the bill provides for a 14-percent increase in present salaries. In addition there is a somewhat greater increase in some of the lower brackets, by providing for a minimum increase of \$250 unless the increase exceeds 25 percent of the existing salary, when the limitation is a 25-percent increase. Those figures may seem rather peculiar, but we have part-time workers and messenger boys, and a large number of other employees who are in the very lowest paid category.

The Senate may perhaps best understand how the bill works out in that respect from the reading of a brief summary on the effect of those figures.

Any employee now receiving less than \$1,000 a year receives an increase of 25 percent. Any employee receiving \$1,000 or more, but less than \$1,785.71 receives an increase of \$250. Any employee receiving \$1,785.71 or more receives a 14 percent increase, except that he cannot receive more than \$10,000. The last statement illustrates one of the provisions of the bill. We have established a ceiling of \$10,000 beyond which no worker can go because of the present increase of 14 percent. As a matter of fact, that provision continues in effect the provision of the July 1, 1945, bill.

No Senator can properly judge this bill unless he takes into consideration the fact that less than a year ago we granted a substantial increase to all Federal employees in the classified branch, with which the bill deals. At that time we granted an increase of 20 percent on the first \$1,200 of salary, 10 percent increase on all salary from \$1,200 to \$4,600, and a 5 percent increase on all amounts above that figure.

The bill does not give quite the increase which I desired and for which I argued on the floor of the Senate. Figured over-all, it gives 15 percent. The bill which I originally introduced, and which I should like to have had passed then, and would like to have passed now, provided for a 20 percent increase. However, in frankness, I must admit that the ultimate working out of both bills is a most satisfactory result, although not quite what I would want. A very much larger increase has been given in the lower brackets, and quite a substantial increase in the upper brackets. If we take the effect of both bills together—

the one of last July and the one of this July—we start with the lowest salary of \$720 for messenger boys and others in the lower paid category. The two bills give them a 50 percent increase. That increase is gradually decreased as the salary scale goes up. At \$8,000 the bill now provides a total increase of 24.7 percent. The present cost of living is up approximately 35 percent, so that those in the higher brackets still lack approximately 10 points, in their increase, below the increase in the cost of living.

The conference report was signed by all the conferees on the part of the House. It was signed by the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. HICKENLOOPER] and myself on behalf of the Senate. The distinguished Senator from North Dakota [Mr. LANGER] did not sign the conference report. After I conclude he will state his objections to it.

The House had passed a bill providing for a \$400 flat increase, which would have resulted in approximately a 17 percent increase over-all. The Senate had passed a graduated salary bill providing for an 11 percent increase over-all. This is an intermediate bill. It gives a certain flat increase, of \$250, in the lower brackets, and it provides for considerable help in the upper brackets.

I believe that if the Federal Government is going to retain from private industry its very best men there must be some increase beyond \$10,000; and in my opinion new salary brackets should be created up to \$15,000. But Congress did not see fit to do so in this legislation. Very possibly that issue will be raised next year, as to whether we should have additional higher categories, and whether we should raise the ceiling.

I believe that the Congress of the United States may, in one sense, be congratulated on this bill. Under the democratic processes of our Government, in the free conference of the House and Senate in the deliberations on this bill, many vigorous things were said, and both Senate and House conferees emphatically expressed their views. As a final result, after deliberations which were aggressive and impatient at times, but I think always tolerant and fair, we finally arrived at this bill.

As a result of these two bills, I am proud to assert something which I do not think can be denied—that Federal employees, comprising a total of approximately 2,000,000 in number, although less than 1,000,000 are directly affected by the bill, are, in the lower category, substantially better paid than in private industry. Furthermore, Federal workers have a month's vacation as compared with approximately 2 weeks in private industry. Moreover they have a very helpful and fine civil-service retirement annuity, to which the Government contributes about 50 percent. I think it is fortunate to have this example at this time, without any strikes or great stress or loss of labor. Under the democratic process of give and take, without coer-

cion or undue strife, we have worked out a bill which may not satisfy all Senators. Some Senators may think that the increase is too high in some respects. It will not satisfy other Senators because they think it is too low. But at least it is a fairly good bill, and well comparable with the results accomplished by strike methods. In this instance the result was obtained without any of those unhappy incidents.

There is another major feature of the bill, which I will ask the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Virginia [Mr. BYRD] to discuss, because they took a more active part in obtaining those provisions than I did.

It seems to be the general opinion of the Civil Service Committees of both the House and Senate, and of the Congress, that in certain of the agencies there is overstaffing and considerable waste of manpower. We believe that in other agencies the employees are working faithfully and energetically, and that full use is being made of manpower. The whole problem is so vast that reform is rather difficult.

The bill contains a provision agreed upon in the conference which at least is an attempt to secure greater economy in the use of Federal manpower. Expressing it in very general terms, although it is a technical subject and there are many details, it is an attempt to place ceilings by this bill upon Federal employment, by virtue of which, over the next fiscal year, commencing October 1, it will be the duty of the officials in charge of Federal employment to absorb three-quarters of the cost of the bill by decreasing Federal employment. That ceiling does not apply to the Veterans' Administration. It does not apply to wage-board employees, and it does not apply to the Post Office Department.

We have established a different kind of ceiling for the Army and Navy Departments, requiring them to reach a certain number of personnel by July 1, 1947. How effective the ceiling will be, and to what extent it may be set aside by later acts of Congress—as it may be, within the power of Congress—no one can say.

There are certain other details in the bill dealing with increased pay on holidays and at nighttime, which are beneficial to the workers, but I shall not recite them, because they are rather inconsequential.

I believe that is all I have to say. As I have already stated, the House has agreed to the conference report. All the House conferees have signed the report and are for it. I believe that the bill as it comes from the conference is considered a fairly satisfactory bill and a satisfactory solution. As I have stated, the distinguished Senator from North Dakota [Mr. LANGER] did not sign the report.

Mr. President, I ask unanimous consent that a table showing the effect of the two last pay bills upon the compensation of the Federal employees be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Schedule of basic annual rates of compensation for positions subject to Classification Act of 1923, as amended

Old rate in effect prior to July 1, 1945	Present rate under Public Law 106, effective July 1, 1946	Proposed rate, 14 percent above present rate	Proposed increase over—			
			Old rate		Present rate	
			Amount	Percent	Amount	Percent
\$720...	\$864.00	\$1,080.00	\$360.00	50.0	\$216.00	25.0
\$780...	936.00	1,170.00	390.00	50.0	234.00	25.0
\$840...	1,008.00	1,258.00	418.00	49.8	250.00	24.8
\$900...	1,080.00	1,330.00	430.00	47.8	250.00	23.1
\$960...	1,152.00	1,402.00	442.00	46.0	250.00	21.7
\$1,200...	1,440.00	1,690.00	490.00	40.8	250.00	17.4
\$1,260...	1,506.00	1,755.00	496.00	39.4	250.00	16.6
\$1,320...	1,572.00	1,822.00	502.00	38.0	250.00	15.9
\$1,380...	1,638.00	1,888.00	508.00	36.8	250.00	15.3
\$1,440...	1,704.00	1,954.00	514.00	35.7	250.00	14.7
\$1,500...	1,770.00	2,020.00	520.00	34.7	250.00	14.1
\$1,560...	1,836.00	2,093.00	533.00	34.2	257.00	14.0
\$1,620...	1,902.00	2,168.00	548.00	33.8	266.00	14.0
\$1,680...	1,968.00	2,243.00	563.00	33.5	275.00	14.0
\$1,740...	2,034.00	2,318.00	578.00	33.3	284.00	14.0
\$1,800...	2,100.00	2,394.00	594.00	33.0	294.00	14.0
\$1,860...	2,166.00	2,469.00	609.00	32.8	303.00	14.0
\$1,920...	2,232.00	2,544.00	624.00	32.5	312.00	14.0
\$1,980...	2,298.00	2,619.00	639.00	32.3	321.00	14.0
\$2,000...	2,320.00	2,644.00	644.00	32.2	324.00	14.0
\$2,040...	2,364.00	2,694.00	654.00	32.1	330.00	14.0
\$2,100...	2,430.00	2,770.00	670.00	31.9	340.00	14.0
\$2,160...	2,496.00	2,845.00	685.00	31.7	349.00	14.0
\$2,200...	2,540.00	2,895.00	695.00	31.6	355.00	14.0
\$2,220...	2,562.00	2,920.00	700.00	31.6	358.00	14.0
\$2,300...	2,650.00	3,021.00	721.00	31.3	371.00	14.0
\$2,400...	2,760.00	3,146.00	746.00	31.1	386.00	14.0
\$2,500...	2,870.00	3,271.00	771.00	30.9	401.00	14.0
\$2,600...	2,980.00	3,397.00	797.00	30.7	417.00	14.0
\$2,700...	3,090.00	3,522.00	822.00	30.5	432.00	14.0
\$2,800...	3,200.00	3,648.00	848.00	30.3	448.00	14.0
\$2,900...	3,310.00	3,773.00	873.00	30.1	463.00	14.0
\$3,000...	3,420.00	3,898.00	898.00	30.0	478.00	14.0
\$3,100...	3,530.00	4,024.00	924.00	29.8	494.00	14.0
\$3,200...	3,640.00	4,149.00	949.00	29.7	509.00	14.0
\$3,300...	3,750.00	4,275.00	975.00	29.5	525.00	14.0
\$3,400...	3,860.00	4,400.00	1,000.00	29.4	540.00	14.0
\$3,500...	3,970.00	4,525.00	1,025.00	29.3	555.00	14.0
\$3,600...	4,080.00	4,651.00	1,051.00	29.2	571.00	14.0
\$3,700...	4,190.00	4,776.00	1,076.00	29.1	586.00	14.0
\$3,800...	4,300.00	4,902.00	1,102.00	29.0	602.00	14.0
\$3,900...	4,410.00	5,027.00	1,127.00	28.9	617.00	14.0
\$4,000...	4,520.00	5,152.00	1,152.00	28.8	632.00	14.0
\$4,100...	4,630.00	5,278.00	1,178.00	28.7	648.00	14.0
\$4,200...	4,740.00	5,403.00	1,203.00	28.7	663.00	14.0
\$4,300...	4,850.00	5,528.00	1,228.00	28.5	679.00	14.0
\$4,400...	4,960.00	5,654.00	1,254.00	28.4	694.00	14.0
\$4,500...	5,070.00	5,779.00	1,279.00	28.4	709.00	14.0
\$4,600...	5,180.00	5,905.00	1,305.00	28.4	725.00	14.0
\$4,700...	5,290.00	6,030.00	1,330.00	28.0	740.00	14.0
\$4,800...	5,400.00	6,155.00	1,355.00	27.7	755.00	14.0
\$4,900...	5,510.00	6,280.00	1,380.00	27.4	770.00	14.0
\$5,000...	5,620.00	6,405.00	1,405.00	27.1	785.00	14.0
\$5,100...	5,730.00	6,530.00	1,430.00	26.8	800.00	14.0
\$5,200...	5,840.00	6,655.00	1,455.00	26.4	815.00	14.0
\$5,300...	5,950.00	6,780.00	1,480.00	26.4	831.00	14.0
\$5,400...	6,060.00	6,905.00	1,505.00	26.1	846.00	14.0
\$5,500...	6,170.00	7,030.00	1,530.00	25.9	861.00	14.0
\$5,600...	6,280.00	7,155.00	1,555.00	25.8	877.00	14.0
\$5,700...	6,390.00	7,280.00	1,580.00	25.6	892.00	14.0
\$5,800...	6,500.00	7,405.00	1,605.00	25.4	907.00	14.0
\$5,900...	6,610.00	7,530.00	1,630.00	25.4	923.00	14.0
\$6,000...	6,720.00	7,655.00	1,655.00	25.2	938.00	14.0
\$6,100...	6,830.00	7,780.00	1,680.00	25.0	954.00	14.0
\$6,200...	6,940.00	7,905.00	1,705.00	25.0	969.00	14.0
\$6,300...	7,050.00	8,030.00	1,730.00	25.0	985.00	14.0
\$6,400...	7,160.00	8,155.00	1,755.00	25.0	1,000.00	14.0
\$6,500...	7,270.00	8,280.00	1,780.00	25.0	1,015.00	14.0
\$6,600...	7,380.00	8,405.00	1,805.00	25.0	1,030.00	14.0
\$6,700...	7,490.00	8,530.00	1,830.00	25.0	1,045.00	14.0
\$6,800...	7,600.00	8,655.00	1,855.00	25.0	1,060.00	14.0
\$6,900...	7,710.00	8,780.00	1,880.00	25.0	1,075.00	14.0
\$7,000...	7,820.00	8,905.00	1,905.00	25.0	1,090.00	14.0
\$7,100...	7,930.00	9,030.00	1,930.00	25.0	1,105.00	14.0
\$7,200...	8,040.00	9,155.00	1,955.00	25.0	1,120.00	14.0
\$7,300...	8,150.00	9,280.00	1,980.00	25.0	1,135.00	14.0
\$7,400...	8,260.00	9,405.00	1,980.00	25.0	1,150.00	14.0
\$7,500...	8,370.00	9,530.00	1,980.00	25.0	1,165.00	14.0
\$7,600...	8,480.00	9,655.00	1,980.00	25.0	1,180.00	14.0
\$7,700...	8,590.00	9,780.00	1,980.00	25.0	1,195.00	14.0
\$7,800...	8,700.00	9,905.00	1,980.00	25.0	1,210.00	14.0
\$7,900...	8,810.00	10,030.00	1,980.00	25.0	1,225.00	14.0
\$8,000...	8,920.00	10,155.00	1,980.00	25.0	1,240.00	14.0
\$8,100...	9,030.00	10,280.00	1,980.00	25.0	1,255.00	14.0
\$8,200...	9,140.00	10,405.00	1,980.00	25.0	1,270.00	14.0
\$8,300...	9,250.00	10,530.00	1,980.00	25.0	1,285.00	14.0
\$8,400...	9,360.00	10,655.00	1,980.00	25.0	1,300.00	14.0
\$8,500...	9,470.00	10,780.00	1,980.00	25.0	1,315.00	14.0
\$8,600...	9,580.00	10,905.00	1,980.00	25.0	1,330.00	14.0
\$8,700...	9,690.00	11,030.00	1,980.00	25.0	1,345.00	14.0
\$8,800...	9,800.00	11,155.00	1,980.00	25.0	1,360.00	14.0
\$8,900...	9,910.00	11,280.00	1,980.00	25.0	1,375.00	14.0
\$9,000...	10,020.00	11,405.00	1,980.00	25.0	1,390.00	14.0

¹\$250 minimum increase, but not to exceed 25 percent of present rate; \$10,000 maximum salary.

Mr. DOWNEY. Mr. President, I hope that the Senate will accept the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LANGER. Mr. President, it was with the deepest regret that I found that I could not sign the conference report prepared by my associates. It is always a matter of regret when I cannot agree with other conferees, especially in view of the fact that the other three conferees,

the distinguished Senator from Iowa [Mr. HICKENLOOPER], the distinguished Senator from Virginia [Mr. BYRD], and the distinguished chairman of the committee [Mr. DOWNEY], were unanimously in agreement with the five Members of the House.

Some time ago the Women's Bureau of the Department of Labor, which, of course, is a Government agency, made an investigation. The Bureau stated that the least that an unmarried girl needed in order to live decently was \$1,920 a year. I believe that every Senator on this floor must know that, in view of the high rents and the high cost of living, if a young lady receives a salary of \$1,900 a year, she is not getting very much, especially when she has to buy War bonds and to spend money in other ways if she is going to have an annuity in her old age.

Mr. President, the five conferees on the part of the House who have signed this report, originally, in the bill passed by the House, asked for an increase of \$400 a year for Federal employees. The bill, according to the terms of the conference report, shows that the poorer an employee is the less he gets. The distinguished Senator from California said that the entire bill applies to approximately a million Federal employees, but, Mr. President, if the conference report is agreed to, about one-third of the 947,000 Federal employees will be called upon to live on the sum of \$1,785.71 a year, or less. I should like to see any Senator try to raise a family, even with one child, and live on \$1,785.71 a year. And we must realize that deductions for various purposes are made from the pay envelopes by the heads of the various departments.

Mr. President, to my mind the proposed increase is entirely insufficient. I think the amount for lower-bracket employees provided by the conference report is a disgrace to the Government. When we passed the postal-pay bill—and let me point out that some of the members of the committee dealing with this bill were on the committee dealing with the postal-pay bill—we made it retroactive to January 1. But this bill is not to be retroactive. The result is that we are discriminating against a group of employees totaling 947,000 persons.

Mr. President, the Federal employees cannot strike. I noticed in the newspaper the night before last that a Member of the Senate was reported as saying that he was introducing a bill to make it a criminal offense for any Federal employee to strike, or else to provide that at the time men and women are employed by the Federal Government they must sign a waiver of some kind, providing that they never can strike against the Government.

Mr. President, I have the highest regard for my distinguished colleagues; but under my oath and under my conscience, when I realize that one of the Government bureaus has said that a young girl, in order to live decently, must have a salary of \$1,920 a year, I simply will not and cannot vote in favor of paying the

heads of families only \$1,785.71 a year. There are thousands upon thousands of heads of families among the 947,000 Federal workers who are affected, and they are to receive only \$1,785.71 a year. I simply do not wish to sign the name of WILLIAM LANGER to any kind of conference report which would put over that kind of a deal on those poor people who, in my opinion, have been underpaid for a long time.

It is true that the proposal looks wonderful; it is true that it looks fine. We are told that some Federal workers will receive a 50-percent increase in pay. But what does it amount to? It is a 50-percent increase over 1927 wages. Every Member of the Senate knows that the cost of living has increased more than 50 percent since 1927. Consider the item of underwear. Garments that used to cost 50 cents now cost \$1.50. Consider the item of food; consider butter—when we can get it. There have been great increases in cost all along the line. Senators should consider those matters when they are called upon to vote for the conference report, which provides for increases in the lowest brackets of 50 percent over 1927 wages. They should consider the report made by the Women's Bureau of the Department of Labor, and they should also consider the report by J. Edgar Hoover regarding the terrible conditions which exist in the city of Washington and in other places.

Mr. President, as I have said, I have very high regard for the judgment of my colleagues. But I simply cannot understand how they can vote for the payment of a salary of \$1,080, for instance, to a Federal worker. Thousands of Government workers are receiving salaries of only \$1,070 a year. Thousands are being paid only \$2,258 a year. Thousands of them are being paid \$1,330 a year. Thousand are being paid \$1,240 a year.

In view of the fact that the conferees on the part of the House originally recommended the provisions of the House bill calling for an increase of \$400 a year, I call attention to the fact that under the conference report in some of the higher brackets the increases are to be, not \$400 a year, but as much as \$989.80. I have no fault to find with that, insofar as the workers in the upper brackets are concerned. I understand that some of the Federal workers who receive the higher salaries serve in very important positions.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. DOWNEY. I know that the Senator from North Dakota would not wish to make a misstatement of fact. I understood the Senator to say that after the conference report is adopted and the bill goes into effect, 90 percent of the Federal workers will receive less than \$1,700 a year.

Mr. LANGER. I said that one-third of them would.

Mr. DOWNEY. That is not correct. The bill applies to only 962,000 Federal workers, I believe. Of these 962,000, it is

true that approximately two-thirds will receive less than \$2,600, and one-third of them will receive more than \$2,600.

Mr. LANGER. Will the distinguished Senator from California tell me how many of them are to receive less than \$1,785.71?

Mr. DOWNEY. I should have to have some latitude in making a guess about that.

Mr. LANGER. Is it not true that about 29 percent of them will?

Mr. DOWNEY. Approximately 29 percent will. But let me say that the Senator should call to the attention of the Senate the fact that that number includes part-time workers and elevator boys, messengers, and workers in other categories, perhaps including waiters in the Senate restaurant who may work for only 4 or 5 hours.

Mr. LANGER. Mr. President, I am sure the Senator from California does not claim that all the Federal workers included in the 29 percent—nearly one-third of the total—are elevator boys and messengers.

Mr. DOWNEY. I think quite a number of them are engaged in part-time work or work of that character in the Federal service.

Of course, Mr. President, I think all of us wish to increase the salaries of the Federal workers. But let me say that I believe this measure places the average employee of the Federal Government at least in a much better position than that of the average worker in private employment. I agree with the distinguished Senator from North Dakota that it is with the utmost difficulty that any family can live on \$175 or \$200 a month. But, unfortunately, that is about the average income, and that is about all that our production at the present time justifies.

I think all of us want to have the country get back to work, produce more goods, be able to raise wages, especially those in the lower-paid groups. But I think the Senator from North Dakota inadvertently made a misstatement of fact.

Mr. LANGER. Mr. President, let me say that some of the women operating elevators are married and support children. Under this measure some of them will be paid \$1,080 a year. In some instances messengers are the heads of families. Not all of them are young children. They will receive \$1,080 or \$1,170 or \$1,258, or some such amount.

I wish to make it very plain that I have no particular objection to the proposed increases in salaries for some of the workers in the higher brackets, in view of the increased cost of living, but I desire to call the attention of the Senate to the fact that since 1927 the increases in pay for poor people who work for the Federal Government will have amounted to 50 percent. I know that every Senator realizes that in some instances the cost of clothing has increased 200 or 300 percent. I protest against having the Federal workers in the lower brackets receive such small salaries.

I also call the attention of the Senate to a speech made by the distinguished Senator from California who is chairman of the committee. When the pay

bill was under consideration, he pleaded, day after day, with tears in his eyes, for the very people in whose behalf I am now speaking.

I realize the difficulty. I realize that some members of the conference committee were not in favor of very much of an increase. I know what a great heart the distinguished chairman of the committee has. I have seen him plead upon this floor, with tears in his eyes, asking that the Senate provide more pay for the people in the lower categories. I agree with everything he said when, speaking upon this floor some months ago, he stated that the Federal workers in the lower brackets are not being paid enough.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. DOWNEY. The Senator from North Dakota might make a strong argument to the effect that a messenger boy should not have been paid \$750 a year prior to last July. But that boy would have his income raised 50 percent, according to the terms of the pending measure. In other words, in the course of a year we shall have raised by 50 percent the compensation of the workers in the lower brackets. Certainly the Senator cannot complain about that.

Mr. LANGER. What is the amount of the increase over 1927 salaries?

Mr. DOWNEY. In the Federal employment there was no increase in salary from 1927 to 1945.

Mr. LANGER. In other words, the messenger boy, or messenger man, or woman who may receive an injury on the elevator, for example, is to receive a 50-percent raise.

Mr. DOWNEY. Mr. President, the Senator can express the situation however he wishes. This bill increases the compensation of employees in the lower brackets by 50 percent, which I think is away above the national average rate of compensation for the kind of work which they perform.

Mr. President, we are dealing with a practical situation. Since the beginning of inflation, we have raised the compensation of persons in the lower brackets by 50 percent. Such increase represents more than persons in comparable private industries have been allowed. I shall be happy at some other time to go along with the Senator in an effort to secure higher wages for all Federal workers. But certainly, in my judgment, there can be no serious complaint against awarding a 50-percent increase in the lower brackets.

Mr. LANGER. Mr. President, I shall vote for the conference report; I do not want any misunderstanding to occur about that; but under it employees in the lower brackets will receive an increase of \$250 a year. I want every Senator to know, that, in my opinion, that increase is not sufficient. The other House, itself, said that the increase should be \$400. I should be willing to make it apply on up to the \$10,000 limit.

Mr. DOWNEY. The House adopted a provision for a \$400 flat increase for all Government employees which, of course, provided only a 5-percent increase for the man in the \$8,000 brackets. That

provision seemed to do an injustice to many employees. The House bill would have caused almost insuperable difficulty. If there had been a \$400 flat increase it would have placed many employees in the lower brackets almost in line with each other, when taken in conjunction with the prior bill which had been passed. Therefore, although an employee may have been employed in Government service as a stenographer for 2 or 3 years, he would receive almost no more money than would the person who entered Government service only recently. The \$400 flat increase would tend to crowd up the persons in the lower brackets into almost the same category. Unfortunately, we have accomplished the same result in the upper brackets. By imposing a ceiling of \$10,000 on salaries, we have crowded many of the employees in the administrative groups up to the top level, so that, in some cases, heads of bureaus will receive no more than some of the subordinates under them. I admit that such unfortunate conditions exist, but we all thought that it was better to take care of the situation in this manner than to crowd the increases into the lower brackets.

Mr. AIKEN. Mr. President, will the Senator yield in order that I may ask a question of the Senator from California?

Mr. LANGER. I yield.

Mr. AIKEN. Under the conference report, what would be the salary of a CAF-1 person?

Mr. DOWNEY. It would be \$1,690.

Mr. AIKEN. That would include the \$260 raise?

Mr. DOWNEY. Yes; the salary was \$1,200 on June 30, 1945. It would now be increased by \$490.

Mr. AIKEN. CAF-1 represents the rating of the average girl who comes to Washington from out of town to take a position with the Government as a typist or a junior stenographer, does it not?

Mr. DOWNEY. Yes. It represents the lowest grade of work which is performed in Government service.

Mr. AIKEN. Has there been any change in the rate of promotion?

Mr. DOWNEY. No. We reduce the time when within-grade promotions may be made from 13 and 18 months to 12 months and 18 months.

Mr. AIKEN. Then there may be an upgrading at the end of 12 months.

Mr. DOWNEY. Yes.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. HICKENLOOPER. I wish to discuss for a moment my own personal philosophy with reference to the \$10,000 group which was mentioned a moment ago by the Senator from California.

It is true that under the philosophy of the pending proposal there is a crowding at the top bracket of \$10,000. Personally I have the feeling that at some time in the future the \$10,000 ceiling will have to be broken at appropriate places. I am not willing to advocate the breaking of the ceiling until we can examine it carefully and ascertain where, under what conditions, and in what departments and categories the ceiling should be broken. Even at the expense of crowding at the present time, without more adequate and

proper information I would rather not see the ceiling broken. I believe that the time has come when we should make a reexamination of the equitable pay scales in the various categories of Government employees. We have approached the matter on prior occasions by piecemeal. Certainly inequities have occurred. But I believe that the present approach to an increase in compensation, when coupled with the increase which was granted a year ago, not only does substantial equity and justice to the persons in the lower brackets who received a large percentage increase a year ago, but it also recognizes that those in the higher brackets of Government are entitled to some degree of consideration. As the Senator from California pointed out a moment ago, even when taking into consideration the combined increases, the employees are still not receiving increases which are commensurate with the admitted minimum increase which has taken place in the cost of living.

I think the Senator from North Dakota was absolutely correct in saying that the actual cost of living in this country is far below what the Bureau of Labor Statistics and the OPA state it to be. But so far as the record is concerned, the proposal would mean approximately a 33-percent increase over all.

I personally believe, Mr. President, that this proposal, when coupled with the increases which were provided in the bill last year, will really do substantial equity and justice to the low-bracket employees, and at the same time will give a modest measure of recognition to the higher-bracket employees.

Mr. LANGER. Mr. President, in conclusion I can only say that the 1945 increase in compensation was 20 percent. That was the first increase these employees had received since 1927. It was totally inadequate to meet their requirements. They were not able to get along on it. I know of families which are undernourished. I believe that nearly every other Member of the Senate knows of similar families. We are now asking 29 percent of, roughly, 200,000 families to live on less money than our Department of Labor has said is necessary in order that a person may live decently.

Mr. BYRD. Mr. President, I think the Senator should make clear his statement with reference to some of these lower brackets. Before the new rate went into effect an employee who worked part time received a yearly compensation of \$720. A full-time employee began at the rate of \$1,704.

Mr. LANGER. My figures show \$1,690.

Mr. BYRD. For full time?

Mr. LANGER. Yes.

Mr. BYRD. Before the pay raise went into effect on July 19, 1945, the salary was \$1,440. It is now \$1,704, and is to be increased to \$1,954, or by about 34 percent.

Mr. LANGER. I am referring to the \$1,200 salary. The figures are not for part time, but for full time.

Mr. BYRD. The Senator is referring to employees who received \$1,200 before July 19, 1945. They are now receiving \$1,440.

Mr. LANGER. Yes; and they have been raised to \$1,690.

Mr. BYRD. Yes.

Mr. LANGER. The Department of Labor says that, in order to live decently, those persons should receive \$1,920.

Mr. BYRD. Many of those employees are not living in localities throughout the country where the higher cost of living exists. They are scattered throughout the country in localities where the cost of living is comparatively low.

Mr. LANGER. I am speaking according to the figures given to me by our own Department of Labor.

Mr. BYRD. I understand; but, as the Senator knows, living costs vary in different sections of the country. I admit that the cost is high in Washington and New York, but these employees are scattered around everywhere. Only 10 percent of them are in the city of Washington.

Mr. LANGER. Let me say to the Senator that the report of the Women's Bureau of the Department of Labor shows that, no matter where they are living, in America a single girl should have an income of \$1,920 a year in order to live decently. It does not refer only to the city of Washington.

Mr. BYRD. The Senator will admit, however, that there have been considerable increases made within the last year, starting with 50 percent in the case of \$720 part-time employees.

Mr. HICKENLOOPER. Mr. President, I merely wish to say to the Senator from North Dakota who asserts it takes \$1,920 a year for a single person to live decently, that I think the average pay of the school teachers throughout the United States, with the possible exception of some of the large metropolitan centers, is in the neighborhood of a thousand dollars a year. I do not defend that low pay. I have for many years, in my home State, and elsewhere, tried to get the pay of school teachers raised, but I submit that school teachers live probably in modest comfort, though not as affluently as I would have them, if I were permitted to fix the pay scales. I still do not agree that it is absolutely essential throughout the United States, in every hamlet and community, that a single person receive \$1,920 a year. I think that is more than the cost of living; in fact, in the average smaller, modest community in the United States it is not enough to permit a person to live in affluence, perhaps, but in my State I do not believe the average person in the smaller community, clerks and others, even demand \$1,920 a year for a single person. Certainly, I should like to have all the income I could earn if I were in business, or again practicing law. Probably there is no limit to what I would like to have, and I probably could spend all the money I could get.

Mr. LANGER. I should like to have the Senator give us the name of a city where a teacher gets a thousand dollars a year at the present time.

Mr. HICKENLOOPER. I am sorry I cannot give the Senator the exact statistics at the moment, but I shall try to look them up. In what we might call metropolitan schools, that is, the Washington schools, the New York schools, the Chicago schools, and the like, those in the large cities, there is a higher level of

pay, which runs around seventeen or eighteen hundred dollars, but when we get away from the metropolitan area I doubt that the average school teacher, in the common grade schools in the small town, and the small town high schools throughout the United States receives more than a thousand dollars.

Mr. LANGER. Let me say to the distinguished Senator that no one fought harder for increased compensation for teachers than I did when we were considering a Senate bill on that subject about a year and a half ago. The salaries of teachers have increased all over the country, including the State of Iowa, which the distinguished Senator represents in the Senate, and if he will take the trouble to look up the statistics, he will find that the pay of a teacher in Iowa today is around \$150 a month.

Mr. HICKENLOOPER. The Senator may be correct, because I have not seen the figures recently and I shall not dispute him, because he feels he has sufficient information to enable him to speak on the subject, but I shall take the trouble to look the matter up in the next few days. I have been in the teachers' pay fight; I have been in the teachers' annuity fight; I was somewhat instrumental in advancing the cause when I was a member of the Iowa Legislature, and I have been somewhat in touch with it. I believe the Senator is wrong about the matter.

Mr. LANGER. Let me suggest that when the Senator was in the legislature it was before we had the war. The Senator has been Governor two or three times, and has been in the Senate for some time. I agree that before the war teachers were woefully underpaid and they still are.

Mr. HICKENLOOPER. I could tell the Senator what the average pay of the teachers in Iowa was before the war.

Mr. LANGER. I can tell the Senator that during the drought it was a disgrace—\$65 or \$70 a month.

Mr. HICKENLOOPER. Not during the drought, but in 1938 and 1939, when prosperity had returned. The average pay of teachers in the State of Iowa—which, let me remind the Senator, has been for many years and still is the most literate State in the Union—

Mr. LANGER. Except North Dakota.

Mr. HICKENLOOPER. The average pay of the teachers in that State, after a certain raise went into effect, was still only about \$785 a year.

Mr. LANGER. For 9 months.

Mr. HICKENLOOPER. That is, their yearly income. That included the pay in the large towns, where the salary would run up to \$2,400 and \$3,000 a year in many instances. I was stating the average.

I am talking of the average for the teachers in the common schools, leaving out the metropolitan areas. It will be interesting to me to obtain the information, to see whether the Senator from North Dakota is correct when he says \$1,800 was the scale, or whether I am right in stating it was around \$1,000.

Mr. LANGER. I am sure the Senator will find, when he investigates, that since the war came on the pay has increased to around \$150 a month. The country

schools in North Dakota are now paying considerably more than they formerly paid. They had to do so in order to get the teachers. What the Senator said was true as to the time during the drought.

Mr. HICKENLOOPER. I beg the Senator's pardon. What I said was not applied to the time of the drought. What I said was true of the time after the drought was over, and after the country began to be productive again, in 1937 and 1938.

Mr. LANGER. Mr. President, I believe teachers' salaries at the present time are entirely inadequate, and I am in favor of the enactment of Senate bill 181, which was introduced, I believe, by the distinguished Senator from Vermont [Mr. AIKEN] and the distinguished Senator from New York [Mr. MEAD].

Mr. AIKEN. No, the bill was introduced by the Senator from Alabama [Mr. HILL] and the former Senator from Ohio, Mr. Burton, who is now on the Supreme Court. The Senator from New York and the Senator from Vermont did introduce a bill which embraced some features which we thought could well be incorporated in whatever Federal-aid education bill Congress should eventually pass, as we hope some bill will be passed. I hope that action on the Federal aid to education legislation may be taken up at an early date.

Mr. LANGER. I want the RECORD to show that I am supporting the Aiken-Mead bill as introduced and that I will support any bill which will very substantially raise teachers' salaries.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. AIKEN. Mr. President, in the warfare which is on between industry and union labor at the present time we find most of the newspapers of the country taking the part of industry and most of the editorials presenting the industrial side of the picture.

Once in a while, however, there is an editor who has courage enough to intimate, in speaking of the coal strike, that the coal miners have some rights, and that the conditions under which they work are such as to build up powerful union leaders such as John L. Lewis.

One of these editors is Mr. Robert Mitchell, editor of the Rutland Herald, published in Rutland, Vt., and I ask unanimous consent that an editorial from that newspaper entitled "Coal Mine Working Conditions," which appeared on May 15, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COAL MINE WORKING CONDITIONS

A great deal of public indignation has been stimulated by John L. Lewis as a result of the coal strike, which has tended to obscure rather than shed light on conditions among the miners in Kentucky and Tennessee.

While Lewis knows how to get what he wants, his methods have done little to enlist public sympathy for the plight of the coal miner, as Marquis Childs indicates in his column today.

Despite the tremendous power of the United Mine Workers leader, that power has been surprisingly ineffective in improving working conditions and the economic status of the miners in certain areas, particularly in Kentucky and Tennessee. While Lewis looms as a tower of strength on the national scene and the mine operators seem puny by comparison, it is the operators who have things their own way in the Kentucky-Tennessee mining area.

Writing in the Washington Post, Agnes E. Meyer, wife of the Post publisher, recently compared the coal mines of Kentucky to the battle beaches of Iwo Jima. From 145 to 180 miners are killed in Kentucky every year, and in 1944 there were 10,000 of the 67,000 miners injured in industrial accidents. The inadequacy of the compensation laws of Kentucky has provided Lewis with his best argument for a \$70,000,000 health and welfare fund.

Twenty miners were buried alive in the Christmas disaster at the Fourmile mine in Kentucky last year. Five other men involved in the accident survived, and although none of them will be able to work as miners again, neither they nor the families of the dead victims of the accident have received any compensation from the mine owner. It was found that there was no compensation in force at the time of the accident. Provisions of the Vermont Workmen's Compensation Act are not considered liberal, but it is difficult for Vermonters to conceive of a law that would permit lack of any kind of coverage at all.

The first problem in the Kentucky coal mines remains what it has always been—forcing the operators to undertake adequate safety measures. There is also the responsibility for insuring proper compensation for those who are injured and their families.

Despite the higher wages paid during the last 6 or 7 years, Mrs. Meyer asserts that there has been no improvement in the standard of living of the Kentucky miners, who continue to live in filth and squalor, ignorant of wise money handling and indifferent to better living and health conditions. Victimized by the mine operators for years, these workers are easy prey for any manipulations which John Lewis wishes to make in his game of power politics.

The Wagner Act, in its one-sided protection of labor unions, gives great power to a union boss and leaves management at a disadvantage in bargaining with him, but John Lewis would never have obtained dictatorial power over the United Mine Workers without aid from the mine operators. The operators, exercising their power over State governments, have kept the mine workers in primitive servitude so long that the miners have no compunctions about being the slaves of Lewis.

Mr. PEPPER. Mr. President, in the gallery at present is a group of men who are not only servicemen, but are servicemen who have given their limbs for our country in the war. They have brought here a petition signed by a group of veterans. The petition covers almost the two pages, and reads:

We, the undersigned patients at the Thomas England General Hospital, Atlantic City, N. J., and Walter Reed Hospital, in Washington, D. C., have served in various theaters of the recent war; we have sustained injuries which most of us will carry for life. We voice no resentment. We are proud to have served our country. In our efforts to win the treatment we are entitled to we have had the support of organized labor. We now

voice our support of organized labor and other groups which are opposing repressive labor legislation now pending in Congress.

Mr. President, on those two petitions are signatures of men from almost all the States of the Union—New York, Pennsylvania, Massachusetts, Alabama, New Jersey, Iowa, Connecticut, North Carolina, Texas, Rhode Island, West Virginia, Montana, and other States in the Union. The veterans who signed these two petitions have presented them to us so that they might be used for this purpose, understanding, as they do, the issues involved in the controversy now pending on the Senate floor, and I say that it is worthy of note by Members of the Senate that the men who made almost the supreme sacrifice for their country feel that there is involved the civil rights of citizens of this country; they feel that there is under attack the right of labor to organize and to bargain collectively by the series of amendments that are pending to the committee bill. They feel that organized labor is deserving of the support and the confidence of the veterans who fought for this country and that now we should not turn against them to deprive them of the gain they won in the many long years they fought for bettering the conditions of themselves and their families.

Mr. President, I want to add only this: I am informed that the President of the United States this afternoon has taken over the railroads. It is my earnest hope, and I repeat essentially what I said here yesterday, that the President will exercise the authority which I believe him to possess under the Smith-Connally Act, and that now, as the operator of the American railroads which he has taken over, he will, through his chosen representatives, negotiate with the employees, and by true collective bargaining, guided only by the principles of right and the public interest, with due regard for the private interest of the management and the ownership, enter into agreements which will make it possible for the working men and women who are today involved in this controversy to get their due, and for the United States public to enjoy the continued service of the great railroad system of this country. I hope that the President of the United States will set that precedent now, and then, as soon as he has acted in the railroad case, follow the same precedent in the coal mine case. I believe that if the President will do that in less than 10 days not only will the railroad strike be settled, not only will the so-called coal strike be settled, but we will have made a momentous step forward in having worked out a procedure whereby in cases of crisis a way will be opened by which these controversies can be thoroughly settled.

If the President has any doubt at all about his authority to do that, I am sure he will find a responsive Senate and House that will add any clarity he may feel is necessary to his authority. But I feel that he has it. I feel that the Congress will back him up if he exercises it; I am confident that the country will give him its support if he exercises it; and I believe that the employees of the rail-

roads and the employees of the coal mines will support him if given an opportunity to sit down in a true spirit of collective bargaining to work out their differences with such a fair representative of management as the President of the United States.

Mr. President, I ask unanimous consent that the petition from this distinguished and beloved group of veterans whom I referred to, in the gallery, may be printed in the body of the RECORD at this point.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

We, the undersigned patients at the Thomas England General Hospital, Atlantic City, N. J., and Walter Reed Hospital in Washington, D. C., have served in various theaters of the recent war; we have sustained injuries which most of us will carry for life. We voice no resentment. We are proud to have served our country. In our efforts to win the treatment we are entitled to we have had the support of organized labor. We now voice our support of organized labor and other groups which are opposing repressive labor legislation now pending in Congress.

Mr. BALL. Mr. President, I was very much interested in the comment just made by the Senator from Florida on what he believed would be a happy solution of the difficulties of the railroads. I certainly am glad, and I think all Members of the Senate are glad, that the President has acted expeditiously to take over the railroads to avert a stoppage of operation. But, as I understood the Senator from Florida, he indicated that it was his belief that the President should now proceed to negotiate a final and binding agreement with the employees of the railroads on behalf of the employers, and that that would represent true collective bargaining as he interpreted it.

Mr. President, I merely wish to say that the situation in which the head of an administration which is openly allied politically with the CIO-PAC would negotiate a collective-bargaining contract on behalf of the employer with his employees to me presents a rather fantastic interpretation of what I believe free collective bargaining between management and its employees means under the law.

Mr. PEPPER. Mr. President, I am not the defender of the President; but I wish to say that the President is the President of the United States. He is not representing the CIO and the PAC any more than he is representing the Baptist Church or the fraternal organizations with which he may happen to be associated. He is not representing one segment of the American people any more than another. I am sure that upon reflection the able and distinguished Senator from Minnesota would not wish to inspire a public lack of confidence in the people's Chief Magistrate by suggesting that his official Executive acts are colored either by partisanship or by prejudice in behalf of one particular segment of the political or economic life of this country.

I have faith that if the President of the United States acts he will act in a way which is right and fair, and

that he will not be blinded by prejudice or selfish pecuniary interests. I know that the President believes that the working people of this country—indeed, all the people—should have health protection, because he recommended to this Congress that we enact health legislation. If the miners had had the kind of health legislation which the President recommended, Mr. John L. Lewis would not have been able to use the club of delinquency which he has been able to raise against the operators of the coal mines in providing for the employees he represents.

Mr. BALL. Mr. President, I do not wish to engage in a debate with the Senator from Florida as to the character of President Truman. In my service with him here I learned to respect and admire him, and I have great affection for him. I think that on the record a very good case could be made for the proposition which I stated that this administration has shown considerable bias on the side of great organizations of labor. But I think it is clear from the remarks of the Senator from Florida that he seems to feel that the leaders of unions in their collective-bargaining negotiations are always virtuous, and never have selfish motives, but that the employers, on the other hand, are always blackguards, always motivated solely by greedy self-interest. That does not quite jibe with my observation of human nature.

Mr. PEPPER. Mr. President, I believe that if the able Senator from Minnesota were acting in the way he is so capable of acting after reflection and deliberation he would not have made that charge against the Senator from Florida any more than he would have indulged in the previous innuendo against the President of the United States.

I have never stated that management was all bad and labor was all good. Most of us have about as much humanity in us as the rest of us; and that applies to labor unions. However, I did say—and I repeat—that if the Government of the United States, under the direction of its President, were negotiating these agreements, the President would be able to look at the problem from the viewpoint of fairness, and dispassionately, in the public interest, regardless of the private and pecuniary motive which sometimes clouds the vision, or the prejudice which sometimes limits the ability to see of the man who has that kind of an interest. The suggestion which I made seemed to me to offer a practical way by which progress could be made in the solution of this controversy, in the service of the public interest.

EXTENSION OF FARM BANKRUPTCY ACT—CONFERENCE REPORT

Mr. McCARRAN. Mr. President, I submit a conference report on House bill 5504, known as the act to extend the Frazier-Lemke Farm Bankruptcy Act. Let me say, by way of explanation, that when the bill passed the House it provided for extending the Farm Bankruptcy Act, known as the Frazier-Lemke Act, for a period of 15 months. The Senate Committee on the Judiciary

saw fit to reduce it to 1 month. The conferees adopted a compromise which extended it to March 31, 1947.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HILL. Is the conference report signed by all the Senate conferees?

Mr. McCARRAN. Yes.

Mr. HILL. There is no disagreement among the Senate conferees?

Mr. McCARRAN. There is no disagreement among the Senate conferees.

The PRESIDING OFFICER. The conference report submitted by the Senator from Nevada will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5504) to amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

Instead of "June 4, 1946" as proposed by the Senate insert "March 31, 1947"; and the Senate agree to the same.

PAT McCARRAN,
ABS MURDOCK,
CHAPMAN REVERCOMB,

Managers on the Part of the Senate.

HATTON W. SUMNERS,
SAM HOBBS,
EARL C. MICHENER,

Managers on the Part of the House.

Mr. McCARRAN. Mr. President, I ask unanimous consent for the present consideration of the conference report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the conference report was considered and agreed to.

GENERAL PULASKI MEMORIAL DAY

Mr. SALTONSTALL. Mr. President, may I take this opportunity to say a few words on a measure pending on the Senate Calendar, namely, House Joint Resolution 304? This joint resolution is very close to the hearts of many of my Massachusetts constituents. It has been passed by the House, and I am confident it will be passed by the Senate as soon as the calendar is called. As I shall not then have an opportunity to say anything about the subject I should like to speak on it very briefly now.

This joint resolution authorizes the President to proclaim October 11, 1946, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

In Massachusetts, since 1932, our General Court has required the Governor annually to issue a proclamation upon this day. For 6 years I eagerly issued such proclamations. I am heartily in favor of this resolution and hope it may be adopted.

Count Casimir Pulaski was born in one of the blackest periods of Poland's tragic subjugation, when his compatriots—as during World War II—were crushed by a cruel conspiracy against the rights of man. He lived in a period when the Colonies in America were throwing off the yoke of tyranny of King George III. After fighting for freedom in his land of Poland, only to see it go down to defeat, Count Pulaski escaped the clutch of the conqueror and continued from afar to do what he could for the land he loved. Later, finding no country in Europe ready to use his services, he went to Paris where he met Benjamin Franklin, the agent of the American Colonies, and arranged to come to America. George Washington accepted Pulaski's services on behalf of the American colonists, and without waiting for an officer's commission, Pulaski enlisted in the Army. Congress rewarded his bravery by commissioning him, at the instance of Washington, as the first commander of the American cavalry with the rank of brigadier general on September 15, 1777. Some 6 months later he was designated commander of the independent corps known as Pulaski's Legion. As the heroic leader of this band, he valiantly shared the fortunes of the struggling Continental Army. He repeatedly distinguished himself for his valor, military genius, and active zeal, until in the ill-fated assault upon the city of Savannah, October 9, 1779, Pulaski was wounded in the thigh by a grape shot when trying to arrest the retreat of the French columns. Two days later he died on board the United States brig *Wasp*. This loyal son of Poland, unable to save the freedom of his own land, died for that of America.

In commemorating the services of Count Pulaski in the American Revolution, we do equal homage to the services of his compatriots, who, during this last great war, suffered sorrow and abasement at the hands of a conqueror while never relenting in their supreme effort to uphold the principles of civilization. Such spirit lights the way to liberty in the world.

Mr. President, I am very glad the joint resolution has been passed by the House, and has been favorably reported by the Senate Judiciary Committee, and undoubtedly it will be passed by this honorable body.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Maurice T. Smith, of Colorado, to be United States marshal for the district of Colorado, vice Arthur D. Fairbanks, deceased, which was referred to the Committee on the Judiciary.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED STATES TARIFF COMMISSION

The legislative clerk read the nomination of Edward Dana Durand to be a member of the United States Tariff Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John Price Gregg to be a member of the United States Tariff Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Nan Wood Honeyman to be collector of customs for customs collection district No. 29, with headquarters at Portland, Oreg.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The legislative clerk read the nomination of Charles I. Lafferty to be comptroller of customs, with headquarters at Philadelphia, Pa.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. HILL. I ask unanimous consent that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast and Geodetic Survey are confirmed en bloc.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. HILL. I ask unanimous consent that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HILL. I ask unanimous consent that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

That completes the calendar.

Mr. HILL. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objections, the President will be notified forthwith.

RECESS TO MONDAY

Mr. HILL. Under the previous order of the Senate, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 28 minutes p. m.) the Senate

took a recess, the recess being under the order previously entered, until Monday, May 20, 1946, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 17 (legislative day of March 5), 1946:

UNITED STATES MARSHAL

Maurice T. Smith, of Colorado, to be United States marshal for the district of Colorado, vice Arthur D. Fairbanks, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17 (legislative day of March 5), 1946:

UNITED STATES TARIFF COMMISSION

Edward Dana Durand to be a member of the United States Tariff Commission for the term expiring June 16, 1952.

John Price Gregg to be a member of the United States Tariff Commission for the term expiring June 16, 1947.

COLLECTOR OF CUSTOMS

Nan Wood Honeyman to be collector of customs for customs collection district No. 29, headquarters at Portland, Oreg.

COMPTROLLER OF CUSTOMS

Charles I. Lafferty to be comptroller of customs, with headquarters at Philadelphia, Pa.

COAST AND GEODETIC SURVEY

Henry W. Hemple to be hydrographic and geodetic engineer with rank of commander from April 1, 1946.

Edwin A. Dörner to be aide with rank of ensign from April 1, 1946.

Robert C. Darling to be aide with rank of ensign from April 16, 1946.

COAST GUARD

TO BE ENSIGNS IN THE COAST GUARD, TO RANK FROM JUNE 5, 1946

William Lamb Aitkenhead
Roy Kenneth Angell
Charles Frederick Baker
Leland Cook Batdorf
David Proyer Bates, Jr.
Charles DeLaCour Bishop
Vincent Anthony Bogucki
James William Bolding, Jr.
Richard Baker Bowden, Jr.
Charles Donald Bradburn
Jay Herbert Bramson
John Henry Bruce
George Herbert Patrick Bursley
Edward David Cassidy
Edward Egbert Chambers
William Russell Chandler
Lloyd Hubbard Clark
Malcolm Emery Clark
Albert Harley Clough
Donald Carlton Davis
Lawrence Davis, Jr.
Robert Lloyd Davis, Jr.
Roger Gilbert Devan
Robertson Pickett Dinsmore
Robert Joseph Dodge
Bruce Hamer Edwards
William Laurie Faulkenberry
Verne Doucet Finks
Charles Irving Foss 3d
Frank Hudson Fuller
Arthur Newell Garden, Jr.
James Austin Garrison
James Albert Gary 3d
Robert Stanley Gershoff
Lloyd Whitman Goddu, Jr.
Dudley Chapin Goodwin, Jr.
Walter Franklin Guy
Henry Vanderhulst Harman
John Briggs Hayes
Walter Owen Henry
James Edward Heywood

Leslie Dean High
 Ian Edward Holland
 Archibald Barwell How 2d
 Richard Bernard Humbert
 James Patrick Hynes
 David Jenkins
 Bruce Clifford Johnson
 Robert Wayne Johnson
 Frederick Steffen Kelsey
 William Joseph Kirkley
 Robert Charles Krulish
 Robert Allison Lee
 Michael Beauregard Lemly
 Rudolph Edwin Lenczyk
 Glenn Milton Loboudger
 James Hector MacDonald
 Charles Scott Marple
 Charles Madison Mayes
 Donald Joseph McCann
 Alfred Edwin McKenney, Jr.
 John Hanson Kennard Miner
 Walter Bishop Murfin
 John Egbert Van Alen Murray
 Milton Ray Neuman
 Elliott Northcott 2d
 William Merryman Page, Jr.
 Frank Eldon Parker
 Robert Donald Parkhurst
 Robert Arthur Patrick
 David Eaton Perkins
 Warren Sawyer Petterson
 William Comfort Pinder, Jr.
 Thomas William Powers
 Wilfred Francis Raes
 Dan Rayachich
 George Francis Rodgers
 Randolph Ross, Jr.
 Arthur William Rouzie
 Edward Peter Rutken
 Douglas Cargill Ryan
 George Thomas Sain, Jr.
 John Bean Saunders, Jr.
 Wilmer Schweinsberg, Jr.
 John Henry Sharp
 Herbert Henry Sharpe, Jr.
 Robert William Smith
 Charles Hudson Steele
 John Wesley Steffey
 Shirl Joseph Stephany
 James Paul Stewart
 James Howard Swint
 Alfred John Tatman
 Glenn Raymond Taylor
 David Harry Thomas
 Thomas Cartwright Thompson
 William Francis Tighe, Jr.
 Richard Morse Underwood, Jr.
 Otto Francis Unsinn
 Emil Miroslav Valehrach
 Donald Ray Vaughn
 Richard Theodore Wagner
 John Leland Wright

IN THE NAVY

The nominations of James T. Brewer et al., for appointment in the Navy, which were received by the Senate on May 13, 1946, and which appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning on page 4916 with the name of James T. Brewer, and ending on page 4919, with the name of Edwin T. Ziolkowski.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 17, 1946

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

I beseech you therefore, brethren, by the mercies of God, that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service.

And be not conformed to this world; but be ye transformed by the renewing of your mind, that ye may prove what is that good, and acceptable, and perfect, will of God.

Let us pray: Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy will that we may perfectly love Thee and worthily magnify Thy holy name. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 122]

Adams	Gore	Plumley
Andrews, N. Y.	Graham	Powell
Baldwin, Md.	Granger	Rains
Barden	Gwinn, N. Y.	Reece, Tenn.
Barrett, Pa.	Hall	Rich
Bell	Leonard W.	Robertson,
Bender	Harris	N. Dak.
Blackney	Hart	Robertson, Va.
Bland	Hartley	Robinson, Utah
Bonner	Hébert	Rodgers, Pa.
Boren	Heffernan	Roe, Md.
Brumbaugh	Hendricks	Roe, N. Y.
Buckley	Hinshaw	Rooney
Byrne, N. Y.	Hoch	Russell
Cannon, Fla.	Holmes, Mass.	Sabath
Carlson	Holmes, Wash.	Sadowski
Case, N. J.	Horan	Sheppard
Celler	Huber	Short
Clark	Jarman	Simpson, Pa.
Clason	Jenkins	Somers, N. Y.
Cochran	Johnson, Ind.	Siarkey
Cole, N. Y.	Judd	Stewart
Combs	Kee	Stigler
Courtney	Kelly, Ill.	Sumner, Ill.
Curley	Kinzer	Sundstrom
De Lacy	Kirwan	Taylor
DeLaney,	Knutson	Thom
James J.	Kunkel	Thomas, N. J.
D'Ewart	LaPollette	Tolan
Domengeaux	Larcade	Torrens
Eberharter	Lea	Towe
Elliott	LeCompte	Traynor
Engle, Calif.	Luce	Walter
Ervin	Lynch	Wasielewski
Forand	Mankin	Weaver
Fulton	Monroney	Welch
Gamble	Morgan	West
Gardner	Norton	White
Gavin	O'Brien, Mich.	Winter
Gearhart	Patman	Wolfenden, Pa.
Gerlach	Patrick	Wood
Gifford	Patterson	
Gillette	Pfeifer	

The SPEAKER. On this roll call, 302 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. BOYKIN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 624) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigation authorized by House Resolution 5 of the present Congress, incurred by the standing Committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed \$75,000, in addition to funds heretofore made available including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on Accounts.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

The SPEAKER. The gentleman from Alabama is recognized for 1 hour.

Mr. BOYKIN. Mr. Speaker, as you know, our colleague the gentleman from Missouri [Mr. COCHRAN] has been very ill for some time and I have been acting chairman of the Committee on Accounts. The gentleman from Georgia [Mr. Wood] and his group on un-American activities have asked the Committee on Accounts for the money provided in this resolution to continue their investigations.

They gave us some information that I just hate even to mention here about the things that are going on right here under the Capitol dome.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. BOYKIN. With pleasure.

Mr. TABER. I have in my hand, just to show the seriousness of this situation, a pamphlet entitled "The International Film Foundation, Inc.," announcing an initial showing of eight communistic pictures. Down at the bottom of the back page there is the statement:

All inquiries regarding any of these Government films should be addressed to Mr. Luther Evans, Librarian of Congress, Washington, D. C.

That astounds me.

Mr. BOYKIN. I thank the gentleman. Had the gentleman heard some of the information that was given when we had this hearing he would be even more astounded. For instance, one Member of Congress came in with a list stating that there were 70,000 Communist members in this country, had their names in active clubs, and that there were 500,000 fellow travelers, and 150,000 underground workers all working to change this form of government and to overthrow this Government.

I yield to the gentleman from Mississippi.

Mr. RANKIN. I just want to say in reply to the gentleman from New York that what we should do is to clean house and fumigate, get all these un-Americans off the Federal pay roll and off the State pay rolls and off the county pay rolls, and let these boys who fought this war understand that we are going to save the Government they fought for.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BOYKIN. I yield to the gentleman from Ohio.